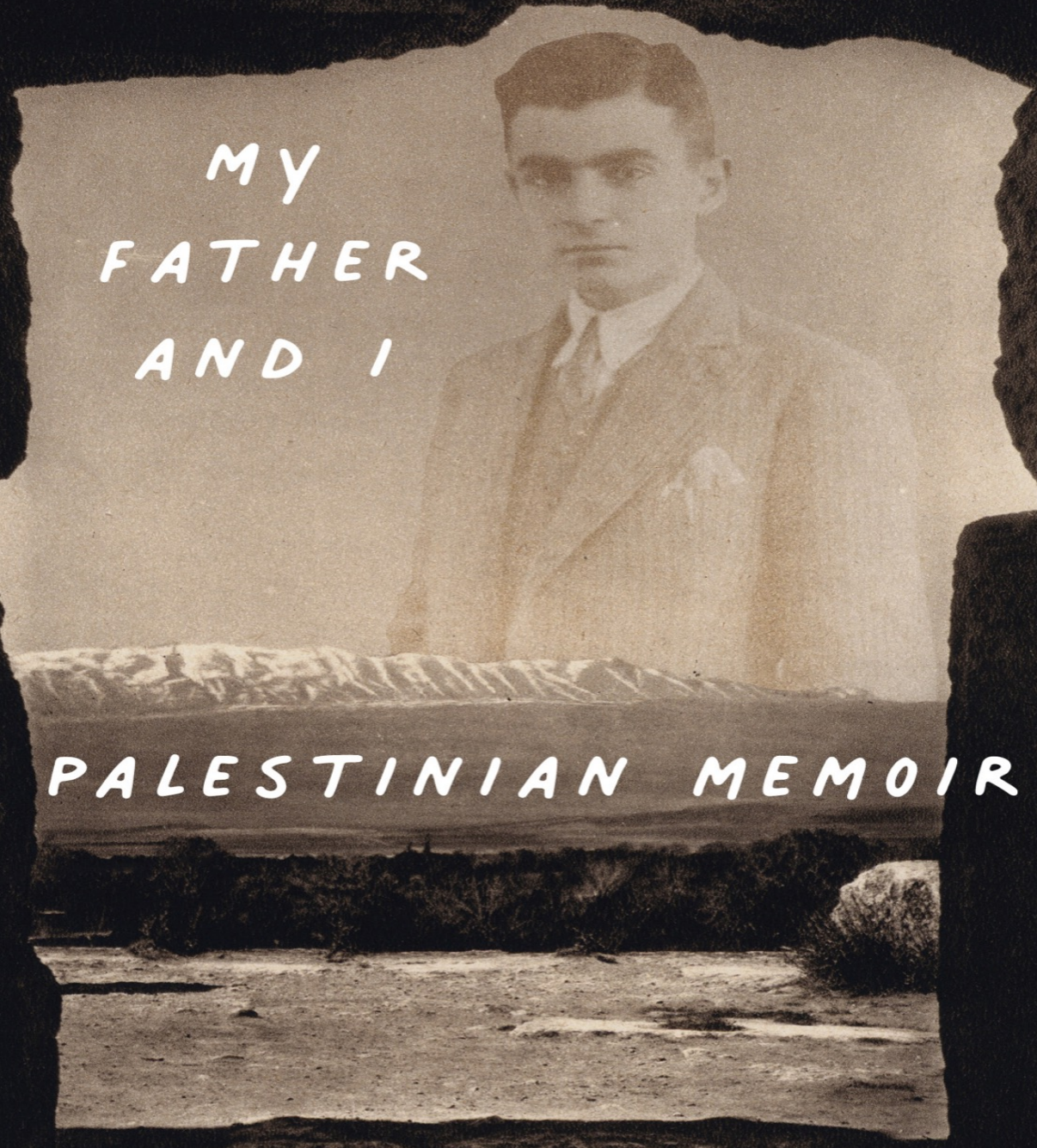
WE COULD HAVE BEEN FRIENDS,



MY FATHER AND I

A PALESTINIAN MEMOIR

RAJA SHEHADEH

ALSO BY RAJA SHEHADEH

Going Home

Where the Line Is Drawn

Palestinian Walks

When the Bulbul Stopped Singing

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WE COULD HAVE BEEN FRIENDS, MY FATHER AND I

A Palestinian Memoir

RAJA SHEHADEH

Other Press
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OceanofPDF.com

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Acknowledgments
About the Author

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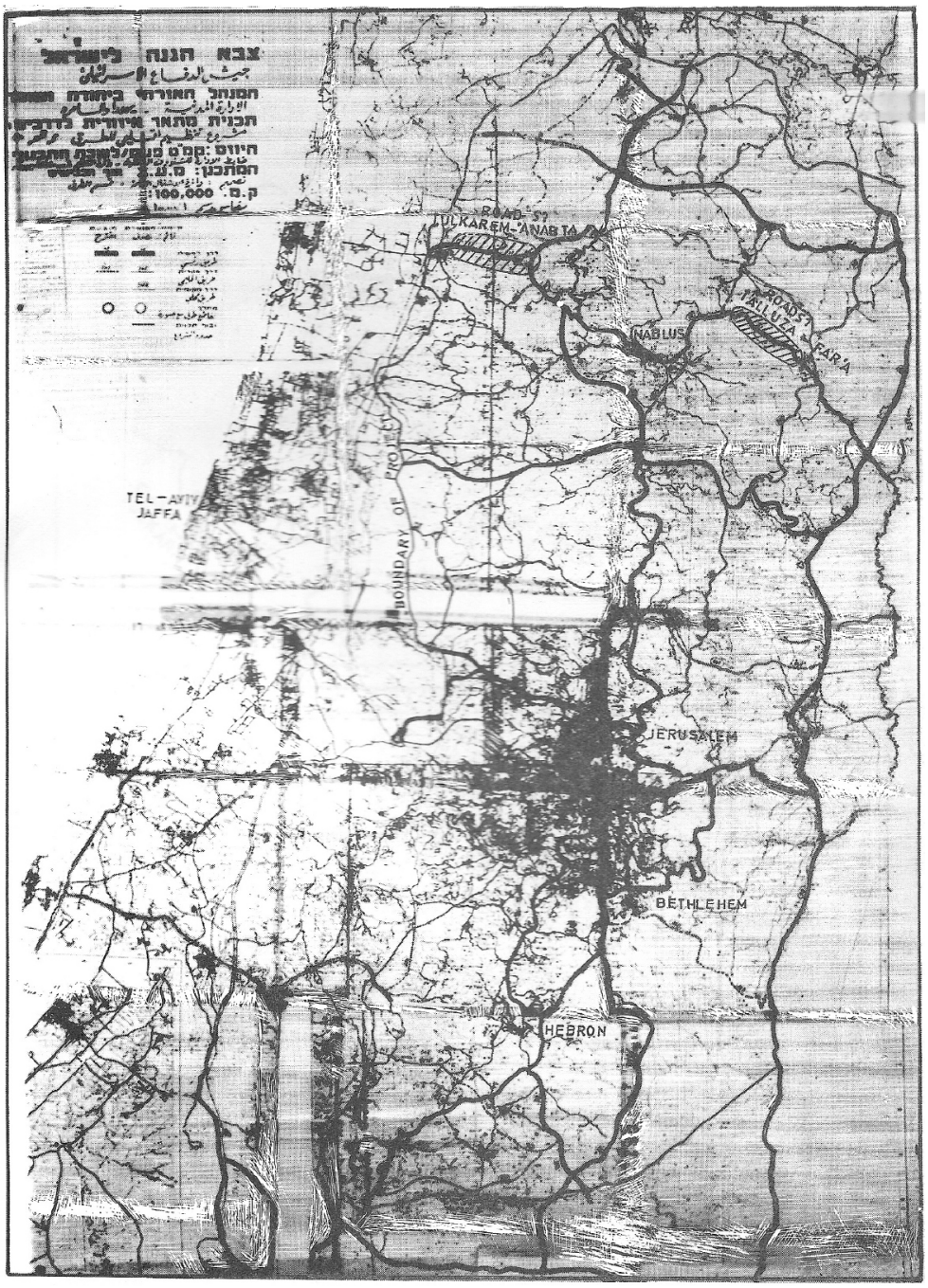
One

I could hear him entering the office with his usual gusto. As always, I took a deep breath when my father came in. He stopped at the reception to get the latest messages, then asked, “Has anyone called?” With small, quick steps thumping the ground, he walked past my room followed by his secretary, to whom he was already dictating letters concerning the day’s court hearings. He was wearing a dark suit with a well-ironed white shirt and a black tie and carrying his heavy black leather briefcase. Then he doubled back and peered through the open door to my room. He saw me looking over a map covered in cobweb lines and asked accusingly, “What are you doing? Don’t you have any work to do?” Before I could explain, he had darted into his office to resume dictating.

I stayed in my office, examining the new 1984 military order plus the attached map that my father had seen me with. Road Plan Number 50, as it was designated, was the blueprint for the Israeli occupation authorities’ long-term objective of creating a new West Bank road network that was bound to have a devastating effect on the Palestinian landscape, on traditional towns and villages and agricultural areas. Studying it, I could see where future roads were to be built, how the existing network of roads was to be altered – from a north–south to an east–west grid – and how the Jordan Valley was to get a new road, one that would better connect it to Israel and consolidate it as the country’s eastern border. The implications were massive.



Published by the Israel Defense Forces and the Civil Administration, this is the map of the Regional Road Plan Number 50. The thickness of the lines indicates whether the proposed road is main, regional or local. The scale is 1:100,000 making it very difficult to read.

I gave my father time to finish dictating his letters, then I walked over to his office to show him the new order and map, which had only arrived in the post that day. When I suggested to him that we should submit objections to the proposal, he was not enthusiastic. He didn't seem to share my sense of foreboding about the impact that the order would have on the land.

The phone rang and he answered: "Aziz Shehadeh here. How can I help you?"

Waving me away, he sank into a conversation with his client. But I continued to think about the new Road Plan. A few weeks earlier I had taken a solitary drive down what we then called the Latrun Road, since it linked the hilly town of Ramallah to the coastal city of Jaffa via the Latrun Monastery. On both sides of the road I could see terraced hills dotted with olive trees in full leaf. The trees on the slopes of these undulating hills were all approximately the same height and they were all olives. As I drove northwest, the hills were awash with sunlight and the trees cast their shadows over the brown earth all the way down to the wadi.

On the hill to my right was a plot that belonged to my client. He had just heard that the occupation authorities had expropriated it and were planning to establish Beit Horon and settle it with Israeli Jews. I couldn't understand why. What was the point of putting Israeli civilians in the midst of our hills, so close to a Palestinian village? How would these settlers get their electricity and water? They couldn't depend on the inadequate services from the nearby village. Could they possibly have plans for an alternative infrastructure? It was then that the worrying thought struck me like lightning: what if our Israeli occupiers, who already had total control of the networks serving us, were proposing to construct a superior network for water, electricity and roads connecting the settlements to Israel? That would mean they could cut us off without affecting their own people. We would be completely at their mercy for essential services. When I saw the military order announcing the new Road Plan I feared that the Israeli military was taking the first step to prepare the way for this eventuality.

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We called these hills *jbal* (mountains), because we didn't know any better. We had no mountains round about and thought that's what our rolling hills were, for that was how they appeared to us. There was much then that we didn't know. How could we have imagined that in these remote locations new settlements would be established that would sweep away the olive groves, changing the entire character of the area we knew and replacing our terraced hills with a concrete landscape, row upon row of uniform houses and straight, many-laned highways, as had already occurred in other parts of the Occupied Territories?

Before 1967, the West Bank under Jordan was an impoverished, underdeveloped place. To build a single house was a big project that took a whole year to accomplish. The idea of taking over an entire *jabal*, building houses for a settlement and managing to supply it with water and electricity, was beyond us. The most we were able to build were single round stone structures that we called *qasrs* (castles), because they appeared to us like castles rising in the midst of the hills. They took their water from the nearby spring; there was no running water, no electricity and certainly no connection to a paved road. Water was scarce even within the confines of our existing cities. Every house had to have its own cistern for collecting rainwater to supplement what arrived irregularly through municipal pipes. To manage to bring water to remote areas was unimaginable.

A week after my first look at the Road Plan, I happened to be driving on that same road when I saw down to my right huge excavations: scores of olive trees that belonged to the residents of the nearby village and provided their main source of income were being uprooted. A new road was already being dug in the hills to replace the narrow, winding Latrun Road, which had been there from the days of the First World War and, like all our other roads, followed the contours of the hills. Now that I had seen the latest military order I felt certain that this new road was part of the comprehensive, alternative road network that the occupation authorities had devised. I knew we should waste no time in submitting legal challenges to try to stop the Israeli plan.

Over several days I tried to convey the urgency of the matter to my father and to express what I thought could be the impact of this new order. He listened, but I couldn't get him to share my concerns. However, I was relieved that he didn't stand in the way of my determination to challenge the Israeli military.

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At thirty-three years of age, I had been a lawyer for five years but I still relied on my father's counsel and his superior legal knowledge. He directed me to the laws I needed to consult. He was the unrivaled expert on land use and planning legislation. His initial view was that the law did not permit the Central Planning Authority, which was now staffed by Israeli officers, to devise a comprehensive Road Plan for the entire West Bank. In other words, there was no legal basis for the road map attached to the military order.

"The first law that you should study is the 1965 Jordanian Planning Law. It is still applicable. There you can find the different categories of roads and the procedures for challenging each one. Now go and study, and leave me alone to finish my work," he instructed me, without moving his eyes from the documents he was reading.

I made a start immediately.

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I found that my father was, as always, right. According to the Jordanian Planning Law, the Central Planning Authority had no power to devise a comprehensive Road Plan for the entire West Bank. This made the plan inconsistent with local law, which outlined the process for building individual roads but did not provide any legal basis for producing a single overarching plan. The proposed network would turn everything upside down. It would also wreak havoc on the landscape, replacing the narrow roads that followed the contours of the hills with wide, many-laned highways. It was clear to me that the new plans were not for the benefit of the local Palestinian population, as the law required. The main objective

was to minimize travel time between Israel and the Jewish settlements, thus making them more attractive for Israelis to settle in. The more I looked into it the more I appreciated the enormity of the matter.

Further study of the 1984 Road Plan clarified many other issues that had mystified me, such as why the Israeli planning authorities adamantly refused to grant building licenses for certain structures that fulfilled all the necessary requirements, and why they rejected perfectly proper and meticulously produced plans for the expansion of towns and villages using improper, fake technical objections to justify their stance and stop the plans being implemented. From what I could see from the Road Plan, the rejections had been issued because these structures and the proposed zoning for expanded Palestinian towns and villages went against the vision for the area conceived by the Israeli planners, who were allocating the largest part of the land for future Jewish settlements. The Israeli planning authorities, staffed since the early 1980s by right-wingers committed to the political vision of Greater Israel, didn't want anything to stand in the way of their long-term schemes. The map attached to Road Plan Number 50 was the foundation of all the land use planning that would ensue. By consulting this map, I learned of Israel's vision for the West Bank. It was all there in the cobweb-like network of roads traversing the territory from east to west and along the Jordan Valley. It was imperative that we did all we could to block it before the plans became a reality.

First, we had to encourage local farmers whose lands would be affected to submit objections. However, although this might force the Israeli authorities to change the route of individual roads, it would not make them cancel the whole plan. Something more had to be done.

I went to consult my father and told him what I had come up with. He was silent for a while, thinking, then he said, "You've missed the most important point. International law does not allow an occupier to make long-term investments in an occupied territory. Clearly, with this plan, that's precisely what Israel is doing." He looked up at me with his winning smile.

Agreeing that this was a crucial point I had missed, I was keen to start writing a legal brief immediately, putting down all these objections to the

plan. But did he really think there was any possibility of drawing up a convincing case against the plan under international law?

“More study will be needed before we’re ready to do that,” he said.

I mentioned that I had been reading about Namibia’s struggle for independence and the significance of the opinion given by the International Court of Justice at The Hague on a question submitted in 1970 by the Security Council of the United Nations. “Could we possibly interest the Security Council and ask them to formulate a request for an opinion from the ICJ on the legality of the Israeli Road Plan?” I asked.

My father always enjoyed the challenge of a new legal question and I could see his eyes lighting up at my suggestion. When I left his office I noticed that he was getting up and walking towards the shelf across from his desk, where he kept the references on international law, to begin the research for this new legal approach.

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For weeks we worked together on the legal brief. We found good arguments as to why this was an appropriate question for the International Court of Justice on which to express its opinion to the UN General Assembly. What remained was the question of how to secure a resolution from the General Assembly to direct the question to the ICJ. This would need the cooperation of the Palestine Liberation Organization, which has observer status at the UN and enjoyed strong support among the members of the General Assembly. It was possible that it could muster a majority from the General Assembly for a decision to request such an opinion from the ICJ. When I suggested to my father that we send the brief to the PLO and ask for their support, I found that his enthusiasm waned.

For many years my father was a strong advocate for the establishment of a Palestinian state next to Israel as a solution to the conflict. His proposal was fiercely opposed by the PLO, as well as by Israel and the Arab states. By 1980 he had given up on the prospect of this ever happening. He then dedicated himself to pursuing a number of initiatives involving education,

health and the development of the legal system. But invariably his projects were blocked by Israel. When he and other colleagues worked on promoting a separate Bar association from that of Jordan, which was paying a stipend to West Bank lawyers to remain on strike, their efforts were blocked by Jordan.

When it wasn't Israel or Jordan who did the blocking, then it was the PLO. Because of factional rivalries, the PLO prevented many of these vital projects from succeeding, including those which Israel, after strenuous efforts on the part of the promoters, reluctantly approved. With large amounts of money in its coffers, the organization was able to wield significant power in the civil society of the Occupied Territories and pull strings as it suited them. While Israel sped ahead, we lagged behind, blaming everything on the occupation, watching as our society became worse off than when we had been under the stifling Jordanian rule. There was a scramble for the land and we were not doing everything possible to win it.

When my father and I finished our brief, which was published by Al Haq, the human rights organization I helped establish, I managed to secure my father's approval that we attach a copy of the map and send it to the PLO. To my utter dismay, they expressed no interest in pursuing this important development. I should have realized, from the failure of past attempts to draw their attention to the extensive alterations that were taking place to the laws in force in the Occupied Territories, that this challenge would not engage the PLO, whose leaders had staked everything on their success in liberating the entire country. What surprised and distressed me further, though, was my father's growing lack of enthusiasm for the case that I had put together, even though his name, along with mine and my uncle's – my father's brother, Fuad, was a partner in the law firm – appeared on the brief. I could not understand why this was. Had he given up on using the law to resist Israel's occupation?

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Many years later, I have come to I realize that the emotions I was experiencing as a result of Israel's transformation of our world must have been similar to those that my father had experienced after 1948. He witnessed the division of the Palestine he knew between Israel and Jordan after he was forced to leave his home and law office in Jaffa and settle in Ramallah, which came to be under Jordanian rule. It must have felt just as incredible to him that this change could happen, and prove to be permanent, as the changes that I was witnessing under Israeli law seemed to me. And yet we never spoke about this, and nor did the similarities in our experiences bring us any closer together.

Although obviously we didn't know it at the time, our work on the 1984 Road Plan was to be one of the last times that my father and I worked together. On December 2, 1985, he was murdered. With my father's sudden death, I lost any chance of talking to him about his many years of struggle and of understanding him better.

Sadly, I was still in competition with him. Not being aware of the extent and the sheer number of battles he had fought during his life, I could not understand the measure of his anger, disappointment and unhappiness. In time I could have come to appreciate all this and show more kindness and understanding towards him. He was healthy and took good care of himself. There was ample reason to believe that he still had a good number of years ahead of him. Yet with his untimely death there was no more opportunity for any of that.

The murderer was the squatter on land belonging to the Anglican Church. My father was handling the case for his eviction. The defendant had sent a letter from prison, where he was serving a sentence for an unrelated offence, threatening to kill my father if he did not withdraw from the eviction case. Bold as always, my father would not be intimidated. Much as I tried to persuade him to drop this dangerous case, arguing that we could not afford to take risks at a time when policing was virtually nonexistent, he would not listen. I should have known that my father, always celebrated as a lawyer who won every case he handled, was not going to abandon this one because of a threatening letter.

I didn’t know what to do and lived in fear of what might happen. My pleas that it was time for him to retire were in vain. He took them badly, as if they were insults. I ended up hurting his pride. Little did I realize that asking him to leave the practice amounted to a negation of all he had been and all he aspired to. He had always found salvation in work.

I simply could not appreciate that now he was in his early seventies, after a life pursuing what he considered the right course – despite being constantly attacked and having his motives questioned – he was hardly going to end his satisfying legal career by abandoning one of his last cases. I failed to take all this into account and he must have thought me a pusillanimous man. I could see his disappointment in the way he looked at me.

It was true that I was afraid and mainly thinking of myself. I was all too aware of how inadequate I would be at protecting him from a possible criminal attack and so wanted him, for my own sake as much as for his, to step aside. And yet I did not stay around to be with him. My work in human rights took priority and was all-consuming. The murder took place while I was abroad on one of Al Haq’s missions. When the news reached me I rushed home like a madman, stricken, bewildered, irredeemably guilty.

My father was seventy-three when he was murdered, two years older than I am now. But to the man of thirty-four I was then he seemed very old, someone to whom I could not relate. I remember once, when I had quarreled with my father, how my uncle Fuad drew me into his room at the office. He had seen how I was going against my father with all the vigor of youth and he asked me to slow down. “Take it easy on your father,” he said. “Remember he is seventy years old.” Yet this meant nothing to me. I didn’t want to make any allowances for his age, because I did not understand what age does to a man and was too full of myself to even try.

For years I lived as a son whose world was ruled by a fundamentally benevolent father with whom I was temporarily fighting. I was sure that we were moving, always moving, towards the ultimate happy family and that one day we would all live in harmony. When he died before this could happen I had to wake up from my fantasy, had to face the godlessness of

my world and the fact that it is time-bound. There was not enough time for the rebellion *and* the dream. The rebellion had consumed all the available time. I turned around to ask my stage manager when the second act would start and found that there was none. I was alone. There was no second act and no stage manager. What hadn't happened in the first act would never happen. Life moves in real time.

But then I was in my prime, going full speed ahead with my human rights work, thinking the world of myself. Having been a slow developer, I was beginning to feel able at long last to realize my potential and experience the young manhood that had been interrupted by the start of the Israeli occupation in 1967. I did not want anyone deterring me, stopping me in my tracks or casting doubt on the work I was so enthusiastically engaged in. I felt I was forging ahead, breaking what I believed then was new ground in the kind of legal resistance I was involved with against Israeli actions. I had no idea that my father had done the same years earlier. Nor did I know that it was from him that I got my public spirit and the sense of responsibility that made me regard the failures of my people as a personal flaw for which I must bear the blame. It was this that motivated so many of my legal investigations into how Israel was pursuing its policies in the Occupied Territories and that pushed me to write all those articles and books, to explain, to document, to advocate.

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My father's courage proved to be his fatal flaw, his Achilles' heel. When the squatter left prison he acted on his threat and murdered my father in the driveway of our house. Yet the Israeli police, who knew about the threatening letter from prison and had found the knife that the attacker used, pretended to investigate a range of possible suspects but refused to investigate the actual killer. This made me suspect that the murderer was either collaborating with or under the protection of the Israeli authorities. They preferred to exploit my father's murder by presenting it as yet another violent act perpetrated by the murderous Palestinian leadership, claiming

that they would not hesitate to eliminate any Palestinian calling for peace with Israel. The PLO's magazine later published an obituary of my father that presented him in heroic terms. The article described him as "the defender throughout his life of the *fellah* [farmer] and the downtrodden." But it was too little too late to turn the tide. The public on both sides continue to believe that this was a political murder.

For many years the Israeli police kept giving me assurances that they were doing everything they could to find my father's murderer. It later transpired that they were making these assurances when the file had already been closed, and it had been closed because they knew who the murderer was but did not want to charge him. However, I only learned this much later, in 2006, from a colleague of a former Israeli cabinet minister who had access to the secret files of the security service.

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The time after that shattering event was the most arduous that I've experienced, not only because of the long and futile process of following the Israeli investigation of the murder, but also because I was witnessing the slow transformation of our country and the destruction of our future in it. There was the relentless, ongoing devastation of the landscape brought about by the changes Israel was making through the building of settlements and the infrastructure of roads, water and electricity that accompanied it. These were years filled with anxiety and worry about our future, as we watched our world being changed before our eyes, the area left for us in it constantly shrinking, rendering ever more remote the possibility of establishing there the Palestinian state that my father had envisioned.

During my father's final year, as I worked with him on the Road Plan case, I could see how busy he was putting his papers in order. I wondered whether he was preparing to write his memoirs, but it seems he didn't have any intention of doing so. All of those files remained in his house after his death.

For a long time my mother would be on at me, saying, “Please come to the house and check if you want to keep any of these papers your father left.” But I continued to delay. I was ambivalent about getting involved in his affairs, perhaps worried about what I would discover. Then one day I got tired of her nagging and went over there to bring all the material that my father had left back to my house.

And so it was that for many years several cabinets in my office stood crammed with his papers and other memorabilia, which I left undisturbed. Among them were his black necktie, his fountain pen and even his shaving brush, plus office diaries recording his meetings and court appearances, together with many overflowing files containing his political writings on his proposal after 1967 for the resolution of the Palestinian–Israeli conflict through the establishment of a Palestinian state to exist side by side with Israel, as well as the resolution of all other outstanding issues. There were also files to do with his breakthrough legal cases: the release of blocked Palestinian bank accounts in Israel after 1948, the defense of those accused of the assassination of King Abdullah of Jordan, the prosecution of Archbishop Hilarion Capucci for gun smuggling and the case of the Jordanian Free Officers who in 1957 attempted to topple the regime in Jordan. These were high points in the course of his great professional career as a lawyer. Every one of them had become epic in my imagination.

Everything was so carefully arranged: reports of UN economic survey missions to Palestine; documents relating to the UN Palestine Conciliation Commission; notes and letters pertaining to his attendance at the Conciliation Conference in Lausanne in 1949; files stacked with newspaper cuttings reporting on his cases and on political events in which he had taken part after the Nakba of 1948, when over 750,000 Palestinian Arabs – about half of prewar Palestine’s Arab population – fled or were expelled from their homes, and the Israeli occupation in 1967.

I felt burdened by it all and began to wonder whether the careful way he had arranged the files was not because he was planning to write about his life and career but because he wanted to nudge me to write about him. He had kept not only the articles he wrote but also cuttings from the local

papers of all other articles relevant to the politics and opinions of that time. I knew that once I had the courage to begin, it would make the task much easier. He was so conscientious and meticulous that he filed copies of both his letters and all the accompanying attachments. Looking at everything that he left overwhelmed me. I decided to stay away from these cabinets. I had my life to live and cabinets full of my own papers.

When I had a new bookshelf made a few years later, I reserved one large cabinet for my father’s papers. Every time I opened it, the scent of freshly polished wood would hit me. I would think about looking through its contents and then promptly close the door. Even many years after his death I was still not ready to delve into these documents, for I viewed them as the source of years of hardship and trouble.

My father with Archbishop Hilarion Capucci who he defended in the gun smuggling case, in 1974, before the Israeli District Court in Jerusalem.

Then one day a friend brought me a photocopy of the Palestine telephone directory for Jaffa–Tel Aviv dated January 1944. And there I found my father's office and my grandfather's name listed: "His honor Salim Shehadeh." Emotion overwhelmed me. All that history of their life in Jaffa has been denied, just as my father's history of political activism on behalf of Palestine has been erased. This was the catalyst that started me thinking about my father's legacy and work. I was slowly getting ready to open that cabinet and begin work. I now realize that I couldn't have done this earlier. I had been too detached from the history and the politics to do him justice.

Extracting file after file, I found a wealth of material, not only his political writings but also a cache of assorted papers, including receipts from hotels where he had stayed during the eighteen months of his exile in the 1950s – airline tickets, memoranda, every small scrap of paper preserved as though for my eyes. I also found published articles he had written at various points in his life that were so powerful, honest and articulate, together with others he had sent for publication that hadn't made it into print.

When I began reading, I realized with what impressive clarity my father had set forth his thoughts, and how his pioneering ideas were deliberately distorted by Israel, the Arab states and even some Palestinians. For so long his written attempts at setting the record straight had met with failure. I felt guilty that all these years had passed before I could spare the time to study the files in the cabinet and finally do what I had failed to do during his life: understand and appreciate his life's work.

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Two

The first file I extracted from the cabinet was marked “Correspondences Regarding the Return of the Refugees.”

When my father left Jaffa in the spring of 1948 he could not have imagined that he would never be able to return. Exiled in Ramallah, he was determined to do all he could to secure his and the other refugees’ return to their homes. For years, he and many others continued to believe that this was possible. I lifted the file and opened it. It was one of the heftiest and spanned a period of six years – six years of hard toil and unceasing attempts in all possible locations.

I was not yet born in 1948, the year of the Nakba, and so do not have personal experience of that excruciating time, but I have heard lots of stories from my mother and grandmother about their former life in Jaffa and what our family lost when they were forced out.

My father left Jaffa that April certain that in the worst case, even if other parts of Palestine were lost to the Jewish state, Jaffa would return to Arab hands. According to the UN partition plan, the city was in the Arab section, where the proposed Arab state was to be established alongside the Jewish state.

Waiting to return, our family was more fortunate than most in having my grandfather’s summer house in Ramallah. It was a two-story property. The downstairs was rented, so my father had to share the upstairs flat with his difficult mother-in-law, whose husband had relocated to Beirut. My

sister Siham was two years old then. She, my parents and my sister Samar, born after the Nakba, had to manage in the small spare bedroom, while the larger room was reserved for the difficult mother-in-law. The house overlooked the hills, which were covered with tents for refugees who had no other place to live. Yet my parents still believed that their sojourn would be temporary, that after the fighting was over they would all be going home.

But the days stretched into months and the news of the ongoing fighting wasn't encouraging. The Jewish state had been declared on May 15, 1948, without its borders being specified. My optimistic father took that as an encouraging sign, leaving open the possibility of establishing the Arab state next to Israel as envisaged in the partition plan.

The war that erupted at the end of the British Mandate on May 14, 1948, brought in Arab contingents. The majority of pitched battles were fought by what was called the Arab Legion, an army that belonged to King Abdullah comprising mainly Bedouin manpower. From early on, their antagonism towards the Palestinians was evident. The Arab Legion was commanded by an Englishman, Sir John Bagot Glubb, or Glubb Pasha as he was known in Jordan. My father had a deep mistrust of the English when they came to Palestine, yet he thought that as long as Glubb was putting up a strong fight his nationality made no difference. Three months later he had revised his opinion.

Although Jaffa was almost entirely evacuated, leaving only some 2,000 of its 75,000 residents in the city, the more resilient inhabitants of Lydda and Ramle – the two cities that were also within the boundaries of the Arab state according to the partition plan – had held on. They had armed themselves and were ready to defend their cities against the Jewish fighters. But as the Israeli army rearmed itself that summer and gained in strength, Lydda and Ramle soon realized that they could not stand their ground without help from an Arab army.

From May 18 to 28 the 4,500-strong Arab Legion fought a fierce battle for Jerusalem which ended with them in control of the Old City. This gave my father hope. It was a unique instance of an Arab army winning a victory over the new Israeli forces. Disappointment, though, was soon to follow.

During the four-week truce from June 11 to July 9 that was arranged by Count Folke Bernadotte, the UN envoy, Israel rearmed with weapons from the USA and the Eastern bloc. Meanwhile, under strong US pressure, Britain stopped supplying arms to Jordan. Then, in the next round of fighting, between Jerusalem and Tel Aviv, Glubb decided to withdraw his forces from the area that had been designated part of the Palestinian state under the partition plan. This left the cities of Lydda and Ramle undefended and allowed the Israelis to force the inhabitants to leave at gunpoint. Mass demonstrations were held in Jordan to protest about Glubb's decision.

My father wondered what was going on. How should he understand what was happening and what should he make of it? He now suspected that the fighting would end without the Arab Legion holding on to even the part of Palestine reserved for the Palestinians by the UN. He began to worry. When the Arab Legion had been doing well and had been able to stop the Israeli forces from taking Jerusalem, Glubb had still opted not to defend the people of Lydda and Ramle. What did this mean? Could it be that my father would not be able to take his family back to Jaffa and that they would have to remain in Israel? He began to suspect this might be so.

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It was midnight when the knocking began at the door of the upstairs flat of the summer house where my father and his family were taking refuge. He rushed to open it and found his friend Dr. Bishara, from Lydda, who was thoroughly exhausted, hardly able to stand. My father welcomed the doctor to his home and heard from him firsthand how the Israeli soldiers had told them to walk east, saying, "Go to Abdullah." He felt that this confirmed his worst suspicions about the collusion between Jordan and Israel, their intention to share between them the country that was Palestine and to prevent the refugees from returning to their former homes, making them settle permanently in an expanded Jordan instead. He now realized that there was no hope to be had from the Arab Legion. The Palestinians had only themselves and the intervention of the UN to depend on.

Every available room in Ramallah had to be used to house the new arrivals from the two Palestinian cities. The last empty plots, whether on the hillsides or in the center of the city, filled with more tents. The character of the place changed. It had been a popular resort much visited in the mild summer months by the rich from the coastal region of Palestine who were escaping the heat and humidity. But now scenes of destitution were commonplace, with the wretched homeless refugees barely having enough to eat. How long could this go on? my father wondered. Perhaps the refugees could manage to live rough during the summer months, but how would they be able to survive the harsh Ramallah winter? His own family was also unprepared. They had left the comfort of their newly furnished flat in Jaffa without taking their winter coats and they had no money to buy new ones. He now began to suspect that their exile might not end before the onset of bitter winter.

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I was born three years after the Nakba and grew up in the same house in which my family had taken refuge after that catastrophic event. There was a family of refugees from Lifta, a village in the Jerusalem area, who had taken refuge in the house across the street from ours and used the nearby hill as a pasture for their cows. They remained as I was growing up in the early 1950s. I remember the cows, inordinately large creatures with their big pink udders, roaming the hills to graze. But then my father succeeded in evicting them after he took a case on behalf of the owner of the house, who lived in the USA. They left, taking their animals with them, and the hills returned to their serene, silent state. Where did these families go? I wonder now.

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Three

My father, Aziz, was born in Bethlehem in 1912 and grew up in Jerusalem, where the winters were as harsh as in Ramallah. He moved to Jaffa, with its milder but more humid climate, after he opened his law office in the city in 1936. A self-made man, he had lived through times of great turmoil, both politically and personally. With the First World War raging and widespread hunger throughout the Levant, he lost his mother, Badi'a Qumri, in 1915. Her early and sudden death was traumatic and left a permanent scar. His father, Boulos, was a moderate who died before the Nakba. Although my father was never self-pitying, he sometimes mentioned as a fact, and perhaps an explanation, that he was brought up without a loving mother and so had missed much.

Throughout his life my father was dependent on his wife's caring love. I remember how grateful he was when my mother prepared his favorite rice pudding for him. His childhood cravings must have been ignored by his stepmother. Only one photograph of his mother has survived. We had it framed and displayed on the mantelpiece. There is a resemblance between mother and son: both had round, attractive faces, large dark brown eyes, wide open and looking rather melancholy, topped by prominent thick eyebrows. She is wearing a lacy white blouse and black pleated skirt. Her hands are folded, resting on a decorative plinth from which a necklace or perhaps a rosary dangles. Her mouth is closed and she has a slightly sad expression, suggesting that she is uncomfortable posing. The hair framing

her head is black and thick and doesn’t cover her ears. Her chin is small, like my father’s. Her white blouse has a high neck that lights up her face. When was this photograph taken? It is not dated. How old would she have been then? Was this before the Great War, before she became ill with typhus? I’ve often wondered what my father’s thoughts were when he looked at his mother’s picture, though I never caught him stopping to examine it.

My paternal grandmother, Badi’a Qumri, who died during the First World War when my father was only three years old.

The family home in Jerusalem, where my father lived until he was twenty-one and where his half-brother and half-sister were born, was in the Bab a-Zahra (Herod's Gate) quarter, on what is now called Ibn Sina Road. It was not the smart part of the city, nothing like where the rich families built their homes in the new upmarket neighborhoods like Talbieh. It's a short walk from Herod's Gate and just behind Salaheddin Street, which is now an important commercial street in the eastern part of the city. Prior to 1948, the main artery was Jaffa Road. The part of the city where my father grew up used to be referred to as the wilderness and had plenty of cypresses. Compared to Jaffa Road, it was the pits geographically and commercially. The main action was around the train station up the hill, where the Notre Dame Church and Monastery still stand. For many years after 1948 this became a no-man's-land. The family's two-story house was on a corner and had a garden all around. A few steps led on to a porch with a wrought-iron railing. The front windows were narrow and on the corner there was a flowering shrub, while the front garden had plenty of pine trees. The house was topped by a red-tiled roof. The second floor was rented to an accountant from Marjeyoun in Lebanon who worked with the Mandate administration, and later to a Polish family with attractive daughters. The house was quite far away from the school on Mount Zion that my father attended and from the printing press where his father worked. It was also far from the Jerusalem Law Classes, where he later studied.

One of the few photographs to have survived from that time shows Boulos standing proudly in front of the house beside his second wife, Mary, who has a stern aspect, with their two children, Najla and Fuad. My father and his sister Mary are not there. Aziz was thirteen years old when his brother, Fuad, was born. He had always wanted a brother and had had to wait a long time. He was determined to take care of his younger brother and did so all his life. Fuad, a delicate child, was protected by his doting mother. He was followed by a daughter, Najla, though the son remained her favorite. She was Fuad's mother and everyone called her Um Fuad.

Men are also shaped by their relations with and attitudes to their brothers. In many ways the two brothers, Aziz and Fuad, were both

protective of each other and yet at times prone to fraternal rivalry. Until late in life, Fuad preferred to play second fiddle. For many years following the Israeli occupation he contributed unsigned articles to the local newspaper *Al Quds*. He must often have felt overshadowed by his older brother, who throughout his career handled major, controversial cases that were covered in detail by the press. My father, on the other hand, felt he was the man less loved and appreciated. As he grew older and bolder in his later years, Aziz was critical of his brother's risk-averse attitude, while Fuad, who was the more diplomatic of the two, must have felt burdened by constantly cautioning his brother to be less outspoken in his politics. Theirs was a complicated relationship, at once loving and close but also competitive and often marred by jealousy. At different times each of them would father the other. Aziz seemed to feel the need to take care of Fuad, and yet all too often the younger man, who respected his brother, would try to deter what he saw as Aziz's excesses and risk-taking, seeing himself as his brother's keeper.

These two photographs are of my paternal grandfather Boulos with his second wife Mary and their two children Fuad and Najla in the front garden of their Jerusalem home.

Aziz was a maverick. He set his hopes high and wanted to be special, not one of the crowd. Fuad felt beleaguered by what he saw as his brother's adventurism. He always tried to hold him back, which Aziz often resented. "So what should we be doing?" he would say, when faced with another political setback. And Fuad would answer, "Nothing, for it is all doomed." "Then should we sit with folded hands?" my father would ask.

Towards the end of his long life, Fuad lost hope entirely in the future of Palestine. One woman never forgot what he once told her: "You and your children might be able to get buried in Palestine but for sure your grandchildren will not have a place in Palestine even to be buried. No Palestinian will be left here. All the land will have been taken away."

A car accident on the road to Jenin in 1979 resulted in my uncle losing his sight in one eye. I saw how pained my father was; he did all he could to make his brother comfortable. He was due to travel to the USA to work at Harvard University and agonized over whether he should cancel his trip. I also saw how the two of them distracted themselves with work to avoid dealing with their emotions.

Fuad was the more worldly of the two and survived by keeping his expectations low in order to spare himself disappointment, while my father was often the visionary. After the accident, my father insisted that Fuad get a driver and arranged it for him at the office's expense, although he did not employ one for himself. But when Fuad was losing the sight in his other eye and needed emergency care, my father was having dinner at a friend's house in Jerusalem. Fuad's wife, Labibeh, tried to reach him but couldn't – there were no mobile phones in those days. How father regretted that he had not been there to help his brother.

Fuad always seemed to expect the worst to happen. Before he lost his sight altogether his wife once caught him counting the number of stairs to his office. When she asked what he was doing his response bewildered her: "Counting the steps so I will know how many stairs to climb when I've lost my sight." "God forbid," she said apprehensively. He was ready to accept his fate. Whenever we went to him excitedly with news of promising developments for the repair of the optic nerve that had been severed in the

car accident, he would make it clear that he didn't want to hear. He was trying to accept his fate. Hope unfulfilled would only make his ordeal more difficult to endure. He adapted so well that when we were with him he made us forget he was blind. As it turned out, he died in 2019, before he could see the light again. He was a most extraordinary man.

Though frail physically, with delicate, chiseled fingers and prone to disease, my uncle lived to be ninety-four. He had a unique attitude to his body. It was as though he had relegated its care to his mother and later, when his mother went to live with her daughter in Amman, to his wife. He was both a calculating and a careful man and yet reckless in some ways. As he drove he would carry on a conversation with the backseat passengers, repeatedly turning round to look at them.

After the Nakba, Fuad joined his brother at the law office in Ramallah. They formed an effective partnership, complementing each other in many ways. Fuad was good with people and hardworking, and he grew to be an asset to his older brother. An excellent lawyer, organized, meticulous and good at keeping accounts and pursuing unpaid bills, he was the one who made the office more financially secure. If it had been left up to my father, he would have opted so often to do the work pro bono. And it was Fuad who took care of his mother while my father remained remote. Over the years my father grew to depend on his brother in many ways. In 2016 Fuad was presented with a Guinness World Record title for having had the longest career as a lawyer: he practiced for sixty-six years and 187 days.

For a child who grew up deprived of his mother's love, the love of his brother and their closeness were very important to my father. They both felt theirs was a partnership for life and so it turned out to be. They worked together for forty-four years. They had their disagreements but never seriously fought, and they always looked after each other.

I also worked with my uncle at the office for forty years, during which time we never experienced any conflicts. He treated me as a son. Unlike my father, he was more attentive to my needs and tolerant of my eccentricities and limitations. A year after the first intifada of 1987 I was experiencing such anger that I felt I could not go on living and working in Ramallah. I

accepted an offer to spend a term at Harvard as a visiting scholar. I confided to Fuad that I was thinking of severing relations with the law office because I was not sure I wanted to return. He didn't get angry or seem betrayed or abandoned. He appeared to understand what I was feeling and, in a fatherly manner, told me, "Your place here will be waiting for you whenever you're ready to return. Go and see how it goes, but be sure that you can always return. In your absence I will take care of everything here."

After four months I was back. How different his reaction was from what my father's would have been.

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Aziz studied at the Bishop Gobat School, which belonged to the proselytising Protestant group the Church Mission Society. Boulos was a member of the Anglican Church, which entitled his son to a free education. Unlike most of the other pupils, my father was a day student. He did not own a bicycle, so every school day he had to carry his heavy satchel loaded with schoolbooks on the long walk from his home near Bab a-Zahra, a northeastern gate to the Old City, up the steep hill of Notre Dame Street and then on to Mount Zion, where the school was situated.

He had the option of walking through the Old City, but it was too crowded and would slow him down. So he went along the wall, passing by Damascus Gate and up Notre Dame Street, where the monastery with the statue of Mary and the child Jesus dominated the horizon. He would then enter the Old City and walk through New Gate, the most recent of the city's gates, built in 1889 to provide a passage connecting the Christian quarter with the Christian institutions built outside the wall.

Just after entering this gate he would come to the shop owned by Jahshan, a friend of his father's who wore thick round spectacles. He would greet Jahshan, raising his hand and muttering a quiet *salam.* My father then was a shy boy who kept himself to himself. His sociability was something that developed as he grew up. Still on his way to school, he would walk past the Frères School, which was too expensive for his father to afford. He

would continue through the narrow lanes in the less crowded western part of the Old City until he reached the busy Jaffa Gate, from where he would go on to Zion Gate, exit it, walk outside but parallel to the wall towards the west, then turn left towards Mount Zion, passing by both the Melkite Catholic cemetery and the Greek Orthodox burial ground. At the very end of the narrow street right below the Dormition Abbey was his school.

It was founded in 1853 by Bishop Gobat. My father's classroom overlooked Mount Zion all the way to the valley below and the Hill of Evil Counsel, where for nineteen years from 1948 to 1967 the armistice line dividing Jerusalem lay. Close to my father's school was the border separating the eastern part of Jerusalem, which came under Jordan from 1948 to 1967, from the western part, which was then under Israel.

After school he would often stay and play soccer with his friends before making his way back to Jaffa Gate along the Western Wall, passing by the many shops built outside it. He would then climb the narrow staircase up to his father's office. Boulos was the owner and editor of the newspaper *Mir'at al Sharq.* Sometimes Aziz would steal away from the printing press and climb up to the roof to enjoy the view from the top, which overlooked the whole of the Old City and was dominated by the Dome of the Rock. He would then spend some time helping his father setting the type, which had to be done manually, and later make his way back home, usually going through the busy Old City streets to Bab a-Zahra and out towards the house, which was not too far from the gate. Once home he would immediately plunge into doing his homework, wasting no time. He would also help with any shopping that was needed. But he later told me that his stepmother, Mary, never received what he bought without complaint. There was always something wrong – always. Nor was there ever any praise for being a hardworking student who was top of his class.

My father's home might not have been one where he felt loved by his parents, but they were both involved in public issues and took on the responsibility of doing their part in the struggles that raged in Palestine during their lifetime. They did so through writing and public speaking.

Raised in such an atmosphere, my father always strove to play his part and he passed the sense of public responsibility on to me.

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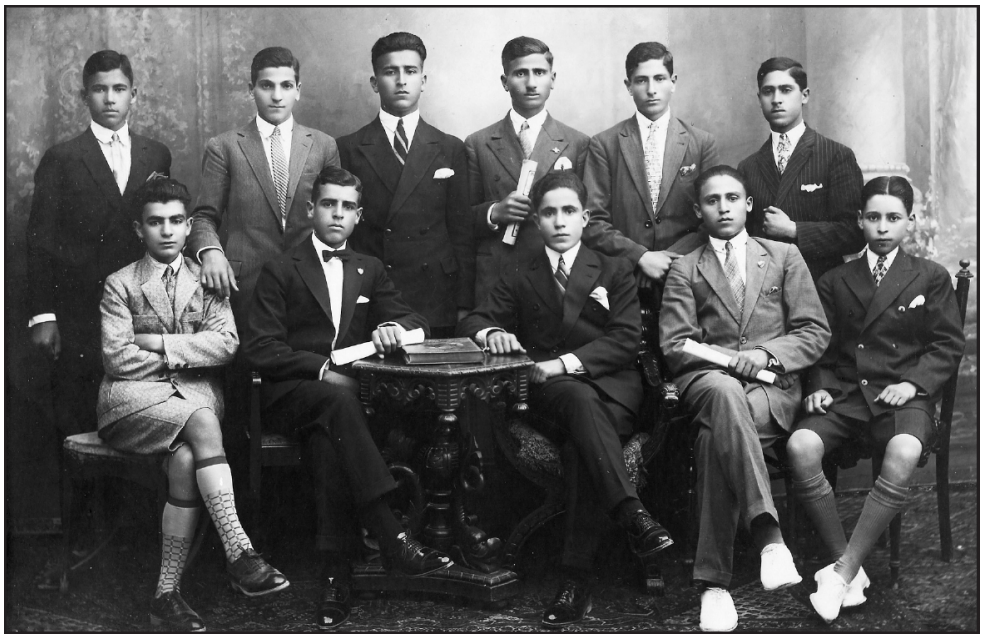
In 1928 my father received his school certificate and was hoping to pursue his education in England. He proceeded to obtain the Oxford and Cambridge certificate in 1929, but his father could not afford to send him abroad to study. His uncle, a lawyer in New York, had promised to fund his education but lost his money in the 1929 crash. When my father sent me to study law in London he must have been aware that he was providing me with an opportunity that he did not get. He firmly believed in the superiority of an English legal education and looked forward to my return from England to work with him at the family firm.

Having had his hopes of studying law in England dashed, he enrolled in the Jerusalem Law Classes. These were held in the Evelina de Rothschild Building on the Street of the Prophets, not far from St Paul's Anglican Church, on the western side of the city. The building was used as a school during the day but between four and eight thirty p.m. law classes were held there five times a week. His class had about 200 students in the first year. Fourteen Arabs graduated along with a number of Jews who later became top practitioners in Israel and took important positions in the judiciary, some of whom made contact with my father immediately after the occupation.

Studying in the Law Classes meant my father could work during the day at the printing press near Jaffa Gate, helping his father with the writing, editing and printing of his newspaper.

In 1933 he obtained his law certificate. An earlier photograph taken on his graduation from high school shows him sitting to the side, his arms folded. He is one of two young men in shorts. In contrast, the photograph taken at his graduation from the Jerusalem Law Classes shows a different, more confident young man, one who was ready to go forth into the world. He is wearing a three-piece pinstriped suit with a not-too-well-ironed shirt.

One hand is in the trouser pocket and he is smiling through a tightly closed mouth, most likely because the photographer asked him to smile. The eyes beneath thick eyebrows are expressive, a bit sad, not those of a happy young man. He is looking straight ahead, his unblinking eyes showing fatigue but expressing determination. It is the picture of a handsome, proud young man with an iron will, determined to succeed.



My father in shorts at the left of the front line at his high school graduation.

My father on his graduation from law school.

As soon as he graduated from law school he trained at the office of Omar Saleh Bargouthi in Jerusalem, as well as working in journalism with his father. In 1936, when he qualified as a lawyer, he practiced law for two months in Jerusalem, then left his father's home in that city and moved to Jaffa in order, as he later wrote, "to escape his father and the provincial atmosphere of the city." There he opened his own law office. He later told the story of one of his earliest clients, who came to inquire about using his services having heard that he was a good lawyer. As soon as the man entered and saw how short my father was he left hastily, thinking that he would not give his case to such a tiny lawyer. Years passed and father's reputation grew, until one day that same man came to the office again with a case. Before my father agreed to represent him, he told him to wait. He walked to the wall and stood there, then said, "Come and check. As you can see, I'm the same height. Do you still want to entrust me with your case?" After this encounter, the two became close friends and my father continued to handle all this litigious man's cases for many years.

His professional life began with offering pro bono legal representation to the rebels charged with taking part in the 1936 revolt against the British Mandate. He once described to me how he used to go into the orange orchards to where the rebels were hiding to meet with them at night. He was taking a very big risk. He continued to defend them until 1938, at which point he decided to concentrate on building his practice.

He always said that he never felt at ease in his father's house in Jerusalem and couldn't wait to leave. While living in Jaffa as a single man he had a busy night life. When his father complained to his brother, Salim, that he heard Aziz was staying out late every night, Salim said, "But doesn't he come to court prepared and ready? What can I berate him for? As long as he works hard and does not neglect his cases, let him enjoy himself."

In 1945 my father got married. The high point in my mother Widad's life was her Jaffa wedding. For the rest of her life she would speak of it with great pride, boasting that hers was the most sumptuous wedding Jaffa had ever witnessed.

“When I entered the church,” she said, “in my white bridal gown with the lace veil over my head, people turned around and were in awe. I reached the altar and the train of my dress was still trailing behind in the middle of the aisle. You should have seen the bouquet the bridesmaid made of white arum lilies, with identical ones for the four flower girls who walked ahead of the procession. After the ceremony, when we entered the reception hall and began to waltz, everyone gasped. We looked so gorgeous.” My mother would then add, “Every detail was thought out, every stitch, every ribbon.” Then there was the wedding cake. Mother would proudly say that they’d had it made at Kapulsky’s, the best bakery in Tel Aviv. “It was so beautifully done that when we came to slice it all the guests held their breath, so perfect was it.”

Was the wedding a high point in my father’s life? The photographs show him pleased, with a big smile over his face, so unlike my maternal grandfather, Salim, who looks grim and unhappy, as though he was wondering what he was doing here amid all this sumptuous pomp and circumstance. Could it be that in marrying his nephew, his daughter was going against his will, because he had once told her that he thought they had such different personalities? While my father liked going out and being sociable, he thought she was shy and inward-looking.

Judge Salim, my maternal grandfather, leading his daughter to the church on her wedding day. Behind them, with the black brim hat, is my grandmother Julia.

My father had no such doubts about his future wife and would not allow uncertainty to spoil his happiness. He knew she was still young and inexperienced, but he believed that in time she would change, get over her timidity and be able to share his busy social life. Surely she'd get there. He believed this though he hardly knew her. He liked her innocence and laughed when she resisted his attempt to kiss her in the car the day they were engaged. She was virginal and fresh and he was sure of her pedigree. That's what was important. In marrying his beautiful cousin, the likeness of his favorite actress, Greta Garbo, he was fulfilling a long-cherished dream. He had worked hard to get to the point where he would be accepted as the suitor of the lovely daughter of a judge, even if that judge was his own uncle.

Not only was she a beauty but he knew everything about her and her background. She had studied at the best schools in Jaffa, then Haifa, then Jerusalem and finally, to avoid the troubles in Palestine, in Beirut. At all these schools she had lived as a boarder. She said she had to keep moving schools to avoid the fighting that raged around each school in sequence. My father was certain she would bring him healthy children. Marriage between first cousins was common then. He often said that Jaffa had many families afflicted with mental illness. He wanted children healthy in body and mind. He was marrying someone with good genes. He must have deeply cared about this. Once as we were driving together he began telling me how well he provided for me and he mentioned the healthy genes he bequeathed to me. Perhaps he was dropping a hint that I didn't take, since I have never passed on these genes.

He remained proud of marrying Widad, the daughter of the famous judge. He had to take good care of her and would always provide for her the sort of life she was used to in her father's house. As for my mother, it was her husband who became family to her. He was her pride and joy and she totally depended on him. Her biggest rival was politics. She constantly worried that he would be lost to politics and public causes that might take him away from her. So she kept trying to wean him off them. She used her charm to keep him close.

For many years after the Nakba, Jaffa exiles in Ramallah would indeed remember her wedding as the best that Jaffa had witnessed. Much later, when my mother was already old, a woman stood up during one of the ladies' get-togethers and declared, "The most beautiful wedding I've ever attended was that of Widad Shehadeh." My mother was so proud and for a long time she continued to repeat this at every gathering she attended.

The differences between my parents were glaring. My mother was brought up to think of herself as a princess. When she didn't cook well and conveyed her husband's complaint to her father, he told her, "Just remember your husband didn't marry a domestic servant, he married a wife, a princess. The daughter of a judge." It was her father whom she loved most of all, who made her feel so special. To the end of her life she spoke of him tenderly. At her parents' home in Jaffa she liked to follow him to the bathroom when he shaved, a lovely fragrance permeating the bathroom from his eau de cologne. She rarely ever recalled memories of her mother in such loving terms.

Her brother, Emile, was self-absorbed and the two were not close. Early on he was sent away to boarding school. Their mother, Julia, was unloving. Confident and attractive, and with a good sense of humor, she had a strong personality, but she was opinionated and could stand up to anyone. Julia and Salim had no common interests: Salim preferred books to social interactions and gossip. Busy and unhappy in his marriage, Salim preferred to be away from home and for a while he lived alone in Nablus, where he worked for a year as a district court judge. I never heard or saw photographs of any outings they took together. Julia and Salim were opposites. She wanted people to visit, while he didn't care for visitors and hated their constant chattering. He much preferred to spend his evenings reading. The only photograph of the couple together as a family shows them behind their home in Jaffa, standing well apart from each other: he is smoking his pipe and she is smiling her winning smile. For his summer vacation, Salim always traveled alone to Europe, never accompanied by his family. My mother felt her solitude from a young age. She yearned for a sister. For a

while her neighbor and close friend Salma Dajani was like a sister to her, but then Salma got married and left her.

The brothers Salim and Boulos, the only two among their siblings who did not leave Palestine, maintained friendly relations but did not visit each other often. This was due to the discord between Mary, Boulos's second wife, and Julia. They could not stand each other. Julia thought herself socially superior to Mary, while Mary took pride in her education and public role. Mary worked both at her husband's newspaper and occasionally for the Palestine Broadcasting Service, while Julia had no interest in politics or learning, concentrating all her efforts on cooking and keeping a good house.

Mary told the story of how she and Boulos had invited two Egyptian journalists for dinner to their house in Jerusalem when Jamil came to visit. Realizing that she was intending to join the guests, he took her aside and said, "I see that you are all dressed up and preparing to sit with the guests. It is not customary for a woman to sit with the men at the table." She told him that she would just serve the food and leave. But when Boulos heard of his cousin's interference, he was upset and told her, "This is none of his business. Whose wife are you anyway?" He then made her sit at the head of the table despite her protest that there was no need for them to upset his cousin.

My grandparents Julia and Salim in the backyard of their Jaffa home. My mother had this photograph framed and kept it on display in our house.

My father looked up to his uncle Salim, whom he revered, and when he moved to Jaffa he lived at his uncle's Continental Hotel on Nuzha Street until he married. The house where my father grew up was much humbler than the one in which my mother was raised. He always knew that his wife had enjoyed an elegant upbringing and this explains his determination to maintain her in that style.

His stepmother, Mary, and her family had been forced to leave Jaffa during the First World War and to live in Damascus, where they came close to starvation. For the rest of her life she was marked by her war experiences, when she had had to save the family by doing whatever jobs she could find. She continued to be frugal all her life and was very cynical about those who cared for crystal glasses and silver cutlery to serve guests, two of Julia's obsessions.

Unlike his uncle's house in Jaffa, which was always serenely dignified and elegant, Aziz's father's house attracted the ardent activists and bright, lively men of ideas. Boulos never shied away from speaking his mind even if it upset others. He tried to salvage what he could of Palestine by being active in the National Defense Party, whose motto was "Take and then demand more." This remained my father's motto. One year into the raging 1936 rebellion, Boulos wrote an article which he published in his newspaper entitled, "Who Will Shed a Tear for Jaffa?" in which he lamented the demise of the Jaffa port after a prolonged strike. Mary was also an activist and writer whose articles were often read on the Palestine Broadcasting Service. In 1931 she was invited to give a speech to the Gaza Youth Club, where there was an all-male audience. She was hesitant to accept but her husband encouraged her to go. After her fiery speech, the British governor of Jerusalem telephoned and warned her not to give any more political speeches. He said, "If you do not shut your mouth we will send you to the Seychelles Islands…I am not joking. I mean what I say."

And yet Aziz thought his father was too cautious. Also Boulos was not practical or a good businessman, and so remained with limited means, unlike his brother. He was an idealist who was not a risk taker, which Aziz believed kept him from making money and getting on in life. This was one

of several major contrasts between the two brothers who had remained in Palestine. Salim was by far the richer man and became prosperous, built a hotel and had a lavish lifestyle. His brother never made much money and nor did he travel beyond the surrounding Arab states. Salim, on the other hand, made his solo annual visits to Europe every summer. Boulos was more political, while Salim, who was famous for his excellent memory and sharp mind, left politics aside. His interest was in psychology, in which he obtained a doctorate from Cornell University before taking a degree in law. While there he obtained US citizenship, which he passed on to my mother, who passed it on to me. After 1948 he submitted to the inevitable, sure that Palestine would be divided into Israel and Jordan and cease to exist as a country. He read the *Saturday Evening Post* and kept abreast of developments in the world. He rarely had a visitor of his own in the house, which he justified by claiming it would compromise his position as a judge.

Yet for all his prescience he failed to take precautionary steps to save his property in Jaffa before leaving for Lebanon. He ended up losing everything he owned when it was all seized by Israel as absentee property in 1948. Judge Salim died destitute and alone in Beirut.

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I once asked my mother whether she ever regretted not learning to drive. She told me it was because her father had said, “Why bother? We have a driver and you’ll always have one, so why learn?”

She was a proud woman who took her privileges for granted. But later it was this very spirit which stood in the way of her marital happiness. Whatever the situation, much as my father tried to do his best for her, my mother would always find something missing. “If only” was the oft-repeated refrain, leaving him with a guilty sense of having failed to do well by her.

Mary did not boost my father’s confidence. Even when he shopped for vegetables she would find fault with his purchases. “Why did you buy these cucumbers? Can’t you see they’re limp?” She constantly put him down. Not

having experienced a mother's love, he lacked the belief that he was good in himself. He always had to prove himself and justify his existence.

Often his wife could not understand his relentless drive. Why did he have to go on? she wondered. Hadn't he done enough? She tried to give him comfort – "There was nothing that you left undone," she would tell him, "but the stupid people did not want it, didn't want to listen. It is time for you to rest. You've done all you can."

He was meticulous and organized, detail-orientated, following every small matter and letting nothing escape him – habits that helped him in his career as a lawyer. He jotted down all his chores for the day and went about fulfilling them. So often the list was long. His wife mothered him, and up to a point he relished the assurance of her love, but then he would feel stifled by it and need to escape her clutches. My mother and father were so entirely different in character. He was attracted to opera, with its expression of explosive, heightened passion, which he learned to love when he was living as an exile in Rome, while she was enchanted by storytelling, in which she excelled, especially the fairy tales she often recounted.

And I, the son, was enthralled by my mother's tales and now realize how I missed enjoying the companionship of my father and our shared interest in music. In my attitude to my father I adopted my mother's perception, or what I thought was hers. Only now do I realize the consequences of my choice.

For a long time I thought it was father's politics that distanced me from him. Now I am aware that a more important reason was the politics within the family; the struggle between my parents over me was responsible for the rift, rather than the politics of the world outside the house.

Until his marriage my father had led a rollicking life. Afterwards he felt it was time he settled down and started a family. He was now the envy of everyone – he had it all: a beautiful wife, a successful law practice, a well-furnished house. And soon they had a daughter, intelligent, attractive and so charming, whom they called Siham, which means "arrows," in reference to her large piercing eyes.

When the 1948 war began, my father feared that chaos would ensue in Jaffa. He felt that in Ramallah his family would remain out of harm's way. They would stay there until things quietened down. Then in 1949 more of his world began to crumble, with one crisis following another. His uncle Salim died in Beirut, but he wished to be buried in Ramallah. With their limited resources they had to charter a private plane to transport his body back to Ramallah for burial. Throughout these turbulent times, Aziz felt he was being tossed about in a raging sea. Yet he would not be brought down. He was a good swimmer and felt able to deal with every calamity and swim to shore.

For the rest of his life the pattern recurred: he would put himself at the service of a cause, give it what he could, then, when he could see it was of no apparent use, he would go back to his practice and attempt to lead a more settled life.

In 1936, during his first year as a lawyer, he wrote the *A.B.C. of the Arab Case in Palestine.* The title is so modest. The booklet is described as "an exposition of the Arab case in concise and readable form, which, it is hoped will be a step towards a deeper and more widespread interest in the Arab side of the question." It was written in English, for an English-speaking audience, perhaps primarily with the British in mind. He didn't need to explain the case to the Palestinians, who, he believed, understood their own situation perfectly well. My father never showed me this booklet. Nonetheless, it was the precursor to similar ones that I would write years later with the same objective, except that in my case it was to help the world better understand the nature of the Israeli occupation of the rest of Palestine.

I don't remember seeing this booklet in my father's library at home. But in 2019, when I was having dinner at the Snowbar cafe with Mahmoud Hawari, an archaeologist who had just completed his term as the director of the Palestinian Museum, and his wife, Helen, Mahmoud said he had a present for me and produced a copy from a brown paper bag. The last time I had seen this booklet was not at our house but at my grandmother's, on her small bookshelf in the hall. I remember opening it and being surprised to

find my father's name there, but I don't remember reading it. Nor did my father ever mention it to me, even after I started writing myself. It was not among the papers he left which I stacked in the cabinet in my office. Mahmoud had come upon it in a secondhand bookshop opposite the British Museum in London, where he was working. Years later he found it among his books and papers as he was packing to leave Ramallah and move to Cyprus, and he thought I would like to have it. I was of course very grateful. When I got home I immediately read it. It revealed how well my father understood, as early as 1936, what Zionism was all about.

In the chapter on the Palestine administration my father wrote:

> The Palestine Government is serving five masters. It tries to please all at the same time: the Arabs, the Jews, the Colonial Office, the Permanent Mandate's Commission and the questioning members of the British House of Parliament. It is thus one of the most perplexed governments in the world. It has no heart or will of its own…Normally it is supposed to follow the dictates of the Colonial Office, but it easily becomes swayed by questions which are asked in the House of Commons by Jewish members or sympathizers, finally coming up against what the Permanent Mandate's Commission may approve or disapprove.

As I read this I thought of the striking similarities with the present situation in Palestine as regards Britain.

But foreseeing events and living the reality once it strikes are two different matters. When they left Jaffa in April 1948 without their winter clothes my parents could not have imagined that their exile would last through the winter. The weather that winter mirrored their growing despair. It was especially cold and a severe storm brought snow that covered the city and its hills and the tents that had been laid out there with a white layer of ice.

My father still resisted thinking about what he would lose if the return to Jaffa did not happen. He could have worried about losing his law office, with all his books and case files; their newly furnished beautiful apartment, with all his wife's well-tailored clothes and all his suits, not to mention the plot of land that he had bought south of Jaffa near the present Israeli city of

Beit Yam, where he planned to build their grandiose future home. What he couldn’t have realized then was that he was also losing his country.

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Four

To the refugees and exiles of the Nakba all was not lost. The year 1948 witnessed heightened activities by the UN and the international community, seemingly to ensure that the refugees would be able to return home.

My father's hopes were high for his return to Jaffa when the Swedish nobleman Count Folke Bernadotte was appointed on May 20, 1948 as the UN mediator in Palestine, the first official mediation in the UN's history. He seemed the best choice for the mission. During the Second World War Bernadotte had helped save many Jews from the Nazis and was committed to bringing justice to the Palestinians. His first proposal of June 28 was unsuccessful, but on September 16 he submitted his second proposal. This included the right of Palestinians to return home and compensation for those who chose not to do so. Any hope was short-lived. Just one day after his submission he was assassinated by the Israeli Stern Gang. Bernadotte's death was a terrible blow to my father and other Palestinians, who had placed their hopes in the success of his mission.

Three months later, on December 11, the UN General Assembly passed Resolution 194, which states that:

> refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or equity, should be made good by the Governments or authorities responsible.

On the same day the UN established the Palestine Conciliation Commission to take over the functions of Bernadotte and mediate in “the Arab–Israeli conflict.” Its composition was inauspicious, comprising Turkey, which espoused an exchange of populations, as had happened between the Greeks and Turks after the Second World War; France, which was mainly interested in the internationalisation of Jerusalem; and the USA, which under President Truman was strongly biased towards Israel. And yet my father and others still hoped that something might come out of this new international body.

One of the first initiatives my father was involved in was helping to organize a public meeting in May 1948 at Cinema Dunia in Ramallah. There the refugees from Jaffa decided that they would simply pick themselves up and immediately return en masse to their homes in Jaffa. The road between Ramallah and their city was still open, they argued, so why not travel back? They resolved to try next morning.

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When the Arab Legion took over the West Bank, Jordan declared military rule there. Reading the first orders made by the Jordanian military governor, I was reminded of the first orders issued by the Israeli governor after Israel occupied the West Bank and placed it under military rule. In both cases it was declared that the laws in force would remain until amended or abolished. This meant that the Defense (Emergency) Regulations of 1945, issued by the British during the last years of the Mandate, were considered as remaining in force. They provided for the possibility of indefinite administrative detention. That night my father, along with all the other leaders of the plan to return to Jaffa, was arrested under the British regulations by Glubb’s men and put behind bars. The mass return was foiled. This was one of the first betrayals by King Abdullah of Transjordan, but it would not be the last.

The prospect of not being allowed to return home and instead being ruled by the mainly Bedouin army of King Abdullah under the English

bully Glubb was anathema to my father and his fellow Jaffa residents now residing in Ramallah. They were determined not to allow this to happen.

For several years he and others continued to look for ways to return home. Unbeknown to them, secret negotiations had already been taking place, as early as 1947, before the British Mandate in Palestine ended. These were between King Abdullah and the Zionist leaders, who were united in their goal of preventing the birth of a Palestinian state under their common enemy, Haj Amin al-Husseini, the Palestinian head of the Arab Higher Committee, which was established on April 25, 1936, and outlawed by the British Mandatory administration in September 1937 after the assassination of a British official.

The British government was continuing with its determined efforts to deprive the Palestinians of their country, exploring the possibility that the Arab parts of Palestine, which it believed would be unviable as an Arab Palestine on their own, could be fused with the Hashemite Kingdom of Transjordan, established in 1946. At a secret meeting in London in February 1948, Ernest Bevin, the UK foreign secretary, gave King Abdullah the green light to snatch part of Palestine provided that the king's forces stayed out of those areas allotted by the UN partition plan to the Jews.

It was only at university, when I educated myself regarding the history of Palestine, that I became aware there had been such a plan. I and my generation, schooled under Jordanian rule, did not get to know this from our curriculum. Nor was I aware that my father's experience, witnessing the transformation of the West Bank from being part of the Palestine he knew to being annexed by Jordan, mirrored my own experience of the same territory as it was transformed after the Israeli occupation of 1967.

Before I read my father's papers, I was also unaware of the role that he and others had played over many years in the struggle for the Palestinians' right to return home. I had heard him mention his participation in the Lausanne Conciliation Conference in 1949, but knew nothing of what had taken place there. To this day, Palestinian students following the curriculum of the Palestinian Authority learn nothing about the attempts of their people to resist the annexation of Palestine by Jordan, or of the persistent efforts of

those like my father who struggled through legal and political means to ensure the return of Palestinians to their homes after the Nakba.

When he heard about the establishment of the UN Palestine Conciliation Commission it cannot have escaped my father's notice that there was a significant difference between mediation and conciliation. Already a backwards step had been taken. But the withdrawal of rights did not stop there. A short time later, with the establishment of the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the Palestinians started to be treated as humanitarian cases in need of relief rather than as refugees.

The refusal to recognize the Palestinians as a nation with the basic right of self-determination was at the heart of the matter and my father knew it. It was also becoming clear to the Palestinians that there was another favored partner, King Abdullah, who was willing to recognize Israel's takeover of Palestine in return for Israel's recognition of the expansion of his borders by incorporating part of Mandate Palestine. The king was not ideologically against the recognition of Israel, he was only waiting for the right moment to do it. For that reason, Palestinian leaders believed that it was imperative for the Palestinians to be represented in these negotiations, otherwise their rights would be overlooked.

As time passed, my father and other Palestinian leaders realized that King Abdullah was not working towards the return of the refugees but planned to keep them as citizens of Jordan, relieving Israel of the problem of refugees returning to their former homes. Israel could then take these homes and lands without paying compensation. This aroused the fears of my father and his fellow Palestinians that they would not only lose their homeland but also become second-class citizens in Jordan under the rule of the Hashemites. And, with Glubb leading the army, they would once again find themselves indirectly under the British, whom they held mainly responsible for the loss of Palestine. It appeared that Folke Bernadotte had lost his life because he was going against these arrangements.

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Before the 1967 war I would often cycle down from our winter home in Jericho to the banks of the River Jordan, not far from where King Abdullah convened what he termed the Jericho Conference, at which he hoped to secure the allegiance of the Palestinians. At that conference, on December 1, 1948, the future of the region of Palestine that had been captured by Jordan at the end of the 1948 Arab–Israeli war was at stake. The conference delegates were led by Sheikh Muhammad Ali Ja'abari from Hebron. Other Arab states were against King Abdullah's attempt to annex the West Bank, so the king wanted to show that the Palestinians had expressed their allegiance to him through this Jericho gathering. In his speech Ja'abari stressed that the king was master of the Palestinians' destiny. A preparatory conference had been held in Ramallah prior to the Jericho Conference, but the Ramallah gathering was reluctant to give King Abdullah an unconditional surrender. In their speech, which my father read, they declared, "The mission of Jordan is the safeguarding of what is left of Palestine until the appropriate time for its recapture arrives."

My father was heckled as he read and the Hashemite supporters would not let him finish. The speech angered King Abdullah, who responded by rejecting their conditional support, which he said he did not need, adding, *"Mubaya'atikum ruddat alaykum* [your pledges of allegiance are returned to you]." In other words, he did not need them. From that time on, my father was persona non grata in the Hashemite kingdom.

After the Jericho Conference the country was expanded and changed its name from Transjordan to Jordan. The full annexation of the West Bank took place on April 24, 1950, replacing Jordanian military rule. King Abdullah succeeded in his main objective, which was to expand the area allotted to him by the British by annexing the West Bank, including eastern Jerusalem, and the British helped him do it. However, he then went too far. On July 20, 1951, fourteen days after I was born, the king made a trip to Jerusalem, ostensibly to pray at Al Aqsa. But his visit had another purpose: he had come to seal the plan of sharing Palestine between Jordan and Israel. Having secured for himself a part of Palestine to expand the oddly shaped, mostly barren territory that he was given after the First World War, he

wanted to consolidate his gains by negotiating a peace treaty with Israel that would ensure his retention of the West Bank. Now that the former Palestine had been shared between the two countries of Jordan and Israel, let them be at peace together, the Hashemite king must have thought. Palestine was no more. Jordan granted citizenship to the refugees from former Palestine who had ended up in the West Bank and it was hoped that this would solve part of the refugee issue in a manner sanctioned by Israel. For King Abdullah, it was time for peace.

Whether or not Israeli leaders had agreed to this plan is not known, but he came to Jerusalem to meet with them. His security people advised him against the trip, but who were they warning him against, extremists on the Palestinian side or on the Israeli side, those who would not agree to giving up the West Bank, including eastern Jerusalem, permanently to Jordan? Regardless, King Abdullah was adamant. And as he entered Al Aqsa on that fateful day, he was assassinated.

It was my father who represented three of the men accused of the assassination: Daoud and Tawfiq Husseini and Kamel Kaloutti. He directed all his energies towards their defense and succeeded in getting them acquitted, but in the process he cemented the regime's unwavering hostility. In the case of Daoud Husseini, his daughter Dyala testified to support the alibi that she was with her father at the time of the murder, buying shoes from the popular Bata store. It was a risky matter, for she was only ten years old. His success in court helped secure my father's position as one of the foremost lawyers in Jordan.

My father told me he was privy to secrets that he could not divulge, facts that he found out in the course of defending the accused. He always said that one day he would write about this, but he died before he did. The file of the court case was one of the largest I found among his papers.

Echoing her father, Salim, my mother used to say that in the eyes of the regime my father had earned himself a *nuqta sawda* (black spot) as a result of taking on these cases. She repeated Salim's advice to my father that he should not have gone publicly against the Hashemites. Being a literal child, I used to wonder about that black spot, where it was placed and how large it

was. Now I think that perhaps it was so black and large that it blotted my father from my view and for a while stood in the way of my getting to know and love him.

My father at the King Abdullah murder trial, looking at one of the accused who he was defending.

My father at the King Abdullah murder trial, flanked by fellow lawyers Issa Akel and Jabra Ankor. He was in his element when engaged in defending a major case.

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My father used to say, “We always knew that Jordan was not independent. It was run by the British. We had had enough of the British and didn’t want to come under them again. The only hope left for us was through the UN.” From reading his papers I realized that my father and the other refugees did all they could to call for the enforcement of UN Resolution 194, which recognized their right of return.

They knew they could not leave it to the UN alone without having a body representing them to keep abreast of developments. And so on March 17, 1949, three months after the UN passed this resolution, 800 delegates from all over the West Bank met in Ramallah and established the Ramallah Refugee Congress. They represented a total of 300,000 refugees, excluding those in Gaza. In September of that year the congress was expanded and changed its name to the Arab Refugee Congress. When I read the statement of their aims, including “upholding the right of the refugees to return to their homes,” I realized with the benefit of hindsight what a formidable task they had set themselves. Without state support they couldn’t possibly get anywhere, but for them matters were even worse. They were going against Jordanian policies when Jordan was actually the state in control of the refugees in its midst, with plans to settle them in Jordan. It also had control over the borders that prevented their return, should they try.

The statement went on to read: “The Palestine Arab Refugee Congress rejects the Israeli contention that the resettlement of the refugees in Israel or Israeli-occupied territory is a matter for the Israelis alone, and holds that it is a matter for the United Nations authority to carry out such resettlement in consultation with the competent authorities and the refugees themselves.”

The congress elected a three-member executive committee; my father served as secretary. In the hefty file marked “Correspondence Dealing with the Refugee Congress” he had kept the minutes of its meetings, letters of support from various refugee groupings inside the West Bank and in the various Arab states, and notes on the negotiations that ensued in Lausanne.

Reading through the file, I could appreciate just how much work was put into the arduous attempts at unifying the refugees under a single umbrella despite the attempts of various Arab states and rival Palestinian organizations to challenge their efforts and spread rumors that their aims amounted to a betrayal of the refugees' rights. Yet they doggedly kept to their sole aim of the implementation of UN Resolution 194 regarding the return of the refugees to their homes. In a futile effort to avoid political rivalry they continued to assert that the ultimate resolution of the conflict was not within their remit. Whether they were testifying before the UN Palestine Conciliation Commission or joining the negotiations in Lausanne, they saw their role as making sure that the right of return of the refugees was implemented.

What struck me as I read these documents was the clarity, lucidity and precision of the drafting. No doubt this was due to the predominance of legal minds among members of the congress. What a contrast this was to the PLO, which went on to negotiate the most important document, in the first-ever negotiations with Israel, which took place in Oslo in 1992, without the presence of a single legal adviser.

In one of its first letters to the UN Palestine Conciliation Commission, the executive wrote that the refugees "wanted to make it clear to [the] commission that their invariable wish is to return to their homes as of right and live at peace with their neighbors." They then referred to the "question of compensation," writing: "The congress wish to make it clear that as the unanimous wish of the refugees is to return home, adequate compensation on loss of or damage to property [should] be paid as soon as possible in order to help them re-establish themselves in their homes." Obviously, at that point the refugees did not fully understand that what Israel had done amounted to ethnic cleansing – a policy it would never be willing to recognize, let alone reverse.

The letter continued by pointing to "the special problem of the orange groves." As a gardener myself, I can well appreciate their concerns about leaving the trees without water. They wrote: "As you are aware, the Arabs own about 150,000 dunums planted with citrus trees, the greater part [of

which] is under Jewish control and presumably has not been watered last year, and serious damage may have been caused to the trees. If another summer elapses without watering these trees, the damage becomes irreparable and compensation will become manifold…" Needless to say, these pleas fell on deaf ears.

A document from the Israeli archives, unsealed sixty years after the Nakba, revealed that the imposition of a military government on Palestinians who stayed in Israel after 1948 and were given Israeli citizenship was not because they posed a security threat, as the Israeli government had consistently claimed, but in order to prevent them from returning to the land taken from them even after they had been granted Israeli citizenship.

Unaware of all that, the Palestinians continued to think in practical terms of their return to the land they owned. In one memorandum my father explained that there were particular matters to be taken into consideration when implementing the return. He pointed out that it would not be possible for the return to happen in one fell swoop once the borders were open. He listed the problems that would have to be overcome first due to the "immense obstacles created by the Jews through their taking over the homes, commercial establishments as well as the moveable and immovable assets." Had word come to him of the large-scale looting of Palestinian homes that had taken place?

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On April 19, 1949 the executive of the congress had its first meeting with the UN Palestine Conciliation Commission in Beirut. I don't know for sure whether they traveled overland or flew, but flying would have been the preferred option, sparing them from having to cross the Syrian border, with all the obstructions they would most likely have encountered there. A plane would have taken off from Jerusalem.

That was not where Aziz had boarded the plane to Italy in 1947, when he and my mother set off on their honeymoon. Then they had used the

airport at Lydda, near Jaffa. Two years later and the inhabitants of Lydda were living in refugee camps like Qalandia, which is close to the airport in Jerusalem. It was on their behalf, to ensure that they would be able to return home, that he went. It wasn't a pleasure trip this time, such things were long over.

If my father could see what has now become of Jerusalem airport I wonder how he would react. Its runway has been turned into a car park that is hemmed in by the "separation wall" that Israel began building in 2002 and is no longer visible from the road. Plans are under way to construct further housing for Israeli Orthodox Jews and so complete the encirclement of eastern Jerusalem by Jewish settlements.

The area where the Qalandia checkpoint, which separates the West Bank from annexed eastern Jerusalem, now stands used to be an open space, caressed by a soft wind, offering a welcome contrast to most of the landscape that surrounds it. Now it has been transformed into a dirty, tortured place, littered with trash, enclosed by a four-meter-high concrete wall smeared with graffiti, shackled by gates and miserable turnstiles too narrow to allow easy passage for any pedestrians of a large build. The section of the separation wall which begins at Qalandia continues southward, bifurcating the Jerusalem–Ramallah Road, which the executive members would have taken to get to the airport. Travelers to Jerusalem now drive in the shadow of the wall. At the halfway bridge, a few kilometers from the checkpoint, it curves eastwards, separating what in the 1940s was the small, attractive hillside village of El Ram from the houses at Dahiet el Bareed, leaving it on the West Bank side. The road then continues eastwards, keeping the Israeli settlements on the Israeli side and blocking access to the road for the nearby Palestinian villages. Over these blocked entrances a highway passes, connecting the Jerusalem settlements to Tel Aviv and the coastal region. In the cul-desac that this strange curlicue of the wall produces, an Israeli company, GreenNet, operates a large facility sorting the waste collected from Jerusalem, meaning that a permanent foul smell permeates the area.

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When my father arrived in Beirut, I assume after his short flight from Jerusalem, he met with his uncle Salim, who was living there alone after being forced out of Jaffa. Salim preferred Beirut to Ramallah because, he said, it agreed more with his health.

Salim, who must have known about the Jordanians' ambitions and Britain's collusion against the Palestinians, thought that it was not in his nephew's best interests to take the wrong side. He remembered that Boulos had always been worried about his son's drive and rashness, and he felt a sense of responsibility towards his nephew. When they met in Beirut Salim berated my father for taking part in the Jericho Conference. He repeated what he had written earlier, on the letterhead of the New Savoy Hotel, Beirut, to my father in Ramallah: "You erred when you went to Jericho to give a speech despite my writing to Julia to explain to you that there is no hope in the second front and that the future of Palestine is with King Abdullah alone. It appears that the residents of Ramallah and Jerusalem are cowards who led you on. You are not up to them and it is advisable for your future not to get involved in politics. Do not delude yourself that you are a politician, nor should you be one."

My mother had kept this letter in a brown envelope in the drawer of her bedside table and I found it among her papers after she died. In her later years she would often take it out and read it. That letter in her father's hand advising her husband to stay away from politics must have meant a lot to her. How often must she have thought that if only he had heeded that advice their lives would have been so very different. But my father was too passionately involved to be steered away from politics. He felt it was his duty to work as hard as he could to ensure the return of the refugees. As I have already said, I am familiar with this feeling of responsibility – it was something I too felt when I came to realize what the Israeli occupation signified, and I knew I had to speak out.

As for Salim, he believed that everything was over and Palestine would never be returned. His pessimism and the advice he gave to his nephew had

echoes many years later in the words of my uncle and legal partner, Fuad, who after 1967 kept insisting that the situation was hopeless and telling me not to waste my time with political or human rights matters. He never changed his mind up to the end of his long life, but I, like my father, did not accept my uncle's advice and continued to press on. It seems we have a tradition in our family of uncles advising nephews who refuse to take any notice.

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While my father could not give up on the possibility of his return, Salim had already said goodbye to his former life in Jaffa and he died in Beirut soon after leaving Palestine, collapsing in a cafe that he frequented close to where he was renting a room. He had worked for the British as a judge, so he knew what they were like and what they were after. He had never been involved in politics but he could see clearly what was taking place. He was a thoughtful man, an astute observer and a reader of history and political analysis. How I wish I could have met him. But he died two years before I was born, aged just fifty-two.

Meanwhile, my father continued to do what he believed had to be done. He was a relentless fighter. From reading his papers, it is clear to me that my father and his generation did not initially expect the Arab states' treacheries and their betrayal of the Palestinian cause. This only gradually dawned on them.

Nor did they expect that the Jews in Palestine would win so comprehensively. It came as a shock and led to decades of despair. They could not have imagined before the Nakba that the small Jewish community in Palestine would succeed in driving out most Palestinians from their homes and replacing them with Jews, or that the Nakba would be final and they would be unable to return home. In part, this was a failure of imagination due to the experiential gap that existed between the zealous Jewish fighters and the unsuspecting Palestinians. How similar all this is to what happened to us after 1967.

And yet how can I be surprised by this failure on the previous generation's part when I, who lived through the settlement-building project, never imagined that Israel would get away with this systematic illegal scheme and end up taking most of the land in eastern Jerusalem and the West Bank? I had not appreciated their ability to raise the funds that it takes to build settlements on our hills – the hills we called *jbal* that in our ignorance had seemed to us remote, towering mountains impossible to live in.

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Five

I remember the day when, several months after the occupation, we drove south of Jaffa to look for the land my father had bought before the Nakba. I remember how quiet and somber he was on the way. At first he seemed a bit confused about the exact location of the plot, but it didn't take long before he found it. It was vacant, as though awaiting his return. From the car he pointed it out to us, then, without saying a word, he left the vehicle. The land lay on a promontory overlooking the Mediterranean Sea. He walked to it. He didn't invite us to go with him, nor did we think of joining him. His silence was heavy and seemed to weigh him down. We left him on his own. We saw him stop, raise his head and look at the sea. He didn't stay long, and when he returned he was still wrapped in silence. He didn't utter a single word or betray any emotion. We also remained silent, not daring to say a word about the land, how lovely it was. We sensed that to sing its praises, so close to the sea that we so often yearned to live by, would have only rubbed salt into his deep wound.

As I recall this incident, I wonder now what my father's thoughts were and why he did not share them. Was it rage or embarrassment that he felt? I suspect it was more likely shame at how badly his generation had failed, losing their land to Israel and never achieving the return that he had worked so hard to realize. Expressing rage or regret would have humiliated him. So he kept his thoughts to himself and drove us back to Ramallah in silence.

Reading my father’s papers, I am able to trace how he eventually came to acknowledge that multiple forces had conspired to keep him and the other exiles and refugees from returning home.

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Shortly after its establishment, the Refugee Congress came to represent most of the refugees. Their stated aim was that “the Arab refugees in [the Palestinian refugee camp in the Jordanian city of] Irbid and in Arab Palestine, excepting those in the Gaza enclave, should be as fully and as constitutionally represented as circumstances allow.” King Abdullah must have viewed the grouping as challenging his control over the fate of the Palestinians in both the West and East Banks, and feared that it could disrupt his plans. He began making it difficult for the congress to operate.

In the file I found a letter written by my father to the Jordanian prime minister informing him of the establishment of the congress, which “seeks to be the body that will represent the Palestinian refugees and unify their efforts to return to their homes.” There was another letter, dated August 23, 1949, that he had written to the Jordanian official who was appointed as the minister responsible for settling the refugees. He outlined the plan of the congress to send delegates to Palestinian refugees in various Arab countries to unify efforts for their return. He informed him that to cover the costs, the congress was raising funds from the refugees. Letters were also dispatched to the secretary of the Arab League and to the refugee committee in Syria. Later there was a letter from my father to King Abdullah, dated January 11, 1950, requesting the release of the money collected by the congress which had been seized. It was clear that the Jordanian regime was doing all it could to curtail the activities of the congress.

The congress was invited to represent Palestine independently of the occupying Jordanian regime at the Lausanne Conference, which was convened by the UN Palestine Conciliation Commission from April 27 to September 12, 1949 to resolve disputes arising from the war, especially concerning refugees, in connection with Resolution 194. Seventy years

later, I read my father's memorandum, which stated that one of the objectives of the Palestinian delegation was "to keep their finger on the pulse and attempt to find the best way that will lead them to fulfil their demands and implement their rights."

In the same memorandum he goes on to decry the failure of the seven Arab states that took part in the war against the Zionist militias and the Haganah, the main Zionist paramilitary organization, allowing Israel to emerge and join the UN. The Palestinian case, he wrote, was turned into a question of refugees and borders juggled by diplomats and compromisers. The Palestinians, he went on to say, viewed this fate with shock. They were horrified by the immensity of the deceit and had lost all faith in those who had embraced their case and made promises that proved to be empty.

Meanwhile, at home, the Jordanian authorities tried to sever the tie between the Refugee Congress and its Ramallah base, closing the office down and confiscating its contents. Rumors were spread that the congress members in Lausanne were about to "sell out," to defend the property interests and frozen assets of rich refugees. They were branded traitors and Israeli agents. With Israel refusing to recognize the congress as a separate delegation, the negotiations were getting nowhere; because their money was running out, my father and all the other delegates except for Muhammad Hawari were forced to leave Lausanne. They also lacked the funds to proceed to the UN in order to continue negotiations there.

The true picture was becoming clear. All states were conspiring to make sure that the Palestinians did not represent themselves. Without representation my father realized that we became vassals without rights, our future not in our own hands. And all for illusory goals that never materialized and for the grand dream of a united Arab world, one of the most enduring lies that for so long helped excuse so much brutality by Arab leaders against the masses.

I can almost hear father's voice summing up the steps he and other Palestinian leaders had taken to ensure the return of the refugees to their homes and property: *We took our case to Lausanne. There Israel refused to negotiate with us and the Arab states contributed to denying us the right to*

speak for ourselves and wanted to speak for us, to do what was in their interest, not in ours. And yet we addressed the UN Palestine Conciliation Commission and later US Secretary of State John Foster Dulles when he visited, all to no avail. We wrote to the President of the United States in 1952. We organized and spoke out, sparing no effort to do what we thought was right, and yet in the end the initiative was snatched out of our hands and we were left at the mercy of a leadership that we did not trust.

It was a battle waged to determine who would represent the refugees, and Jordan ultimately won. The Jordanians ended up betraying us while pursuing their own dreams of expanding their territory to encompass the western bank of the River Jordan, only to lose the West Bank, including eastern Jerusalem, in the 1967 war, in which they exerted little effort to fight back.

In Lausanne the Israeli refusal to negotiate with the Palestinians was the first in a long series of similar refusals that extends to this day, always justifying their failure to negotiate with the false claim that there was no one to negotiate with.

In one of the informal meetings between the Palestinian and Israeli delegations at Lausanne, an Israeli minister, Eliahu Sassoon, was so flushed with victory that he spoke scornfully to the Palestinians, telling them, “Don’t speak to me of justice, law, rights…these words have no place in our dictionary. It is power that determines the destiny of nations.”

—

I remember Eliahu Sassoon’s visit to our house in Ramallah two years after the beginning of the Israeli occupation in 1967. This was the same man who had exhibited such arrogance when he met my father in Lausanne. I can still see him sitting on the balcony of our house with my father, two elderly men reminiscing. My father made sure to remind him of how the Israeli delegation had refused to negotiate. Sassoon struck me then as diffident and almost apologetic, which was strange for a man of his background. They spoke wistfully about those times, their meetings and the lost opportunity

for peace which they both now lamented. Soon afterwards Sassoon, an Israeli politician with an excellent command of Arabic, someone who had made a career out of his contacts with the Palestinians and his attempts at recruiting them to help Israel in pursuit of the policy of divide and rule, wrote an article in the Israeli paper *Yedioth Ahronoth* in which he dismissed the Palestinians' right of return and reduced it to the wishes of single individuals to return. And like a little god he boasted that he offered them this "privilege." He wrote about how he met with Muhammad Nimr Hawari and Aziz Shehadeh at the Geneva train station, how the two insisted that Israel should not negotiate with the Arab states but with them, because they were the core of the problem and without finding a resolution with them nothing would be solved. He attempted to justify the refusal to negotiate with them by claiming that Israel wanted the refugees to remain in the Arab states and did not want to divide "the land of Israel." And that was why it refused to speak to the Palestinians. He continued:

> We were a fledgling state and thought our status would be enhanced if we only spoke to other states. I felt these representatives wanted to return to their homes. So I told the two that if they wanted to return they could, and I gave each a letter and said all they needed to do was show this letter at the border and they would be allowed in. A few months later I received a phone call from the border telling me that Nimr Hawari had appeared at the border and showed the letter signed by me. I told them to let him through and he returned to his house, stayed away from politics and became a judge in Nazareth. As to Aziz Shehadeh, he went back to Ramallah and was arrested a number of times because of his political ideas. After 1967 he resumed his political activism and called for a Palestinian state. His initiative was met with silence by the Israeli authorities.

He ends his article thus:

> Today, twenty-one years after Lausanne, I find myself obliged to confess that Hawari and Shehadeh were right. The Palestinians were and remain the key to any solution of the Middle East. I pray to God that we will have the courage to hold this key.

This is not to imply that Sassoon was supporting the Palestinian return, only that he believed the Israeli government should open up a dialogue with the vanquished Palestinians.

I never had any confirmation from my father that this meeting at the train station took place, nor could I find the letter Sassoon referred to among my father's papers. But whether or not he got such a letter, the fact is that my father, unlike Hawari – who had headed the Najjada, a group established in 1945 to resist the Jewish fighters – never tried to exercise the option of an individual return to his home and property in Jaffa. He was not after a personal solution to his own problem but a general return for all the refugees whom he was representing. Nineteen years later he found himself under Israeli rule. Even then there was no possibility of getting back his property in Jaffa. He didn't go to live in Israel, Israel came to him, forcing him to live under its military rule. He had no choice in the matter.

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I did not know from personal experience what life was like on the other side of the border. However, from what I felt and heard from my aunt and my cousins when they visited us from Akka at Christmas, it was miserable in a way that was worse than the misery and want that we were experiencing in Ramallah. They spoke of permits, confinement and soldiers controlling their lives. It sounded much worse than what we experienced under Jordan. When we too experienced the Israeli military controlling our lives in the West Bank, I came to fully understand what they had undergone and this confirmed my opinion that my father had taken the right decision in staying put.

Unlike Hawari, my father never wrote a memoir in which he presented his own version of the historical events in which he had played a part. Looking out of my window at the three olive trees in my garden as I write this, and thinking about how distressed I would feel if I were forced out and had to lose all I had worked so hard to cultivate, I read the short and pensive "Letter to a Refugee" my father wrote in 1952, in which he reflects about his work over the previous four years. In it he expressed his belief that the refugees were living in "a make-believe world, dreaming of their return through the good offices of the United Nations." He pointed out that this

organization, which had affirmed the right of return for every Palestinian, was trying to mitigate its failure by passing resolutions which were never implemented. It also appointed commissions to put into action these resolutions, allocating millions of dollars for them to no good effect. He urged the refugees not to remain "deluded by this great savior" and prophesied that the waiting "will be long and in vain" because "the return is a fantasy, a mirage. The Jews will not agree to the return of a single refugee, and it is they who hold power…" No local newspaper would publish the letter. How frustrated my father must have felt to be gagged.

It was the establishment of UNRWA on December 8, 1949, to carry out direct relief and works programs for the Palestine refugees, that must have confirmed my father's suspicion and made him fully recognize what was taking place. Now he could see clearly the movement away from mediation aimed at resolving the conflict and securing the return of the refugees, towards conciliation, and later to a tacit acceptance that the refugees were not going to return and needed to be provided with relief wherever they ended up living. What particularly distressed him was that as long as the refugees received assistance from UNRWA they were not even recognized as refugees, with all the rights that accrue to those in that category under the 1951 Refugee Convention that was later signed.

So outraged was my father that he decided he would do without this humanitarian assistance and refused to register his family with UNRWA.

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Six

A year after the Nakba three refugee camps were established in and around Ramallah: Am'ari, Jalazone and Qaddura. The property that the destitute residents of these camps had left in what became Israel was declared absentee property and taken over by the state.

Although the tents in Ramallah all but disappeared a few years after the Nakba, as the refugees were gathered in these three camps that flanked the borders of the city, the pitiful sight of some of my father's acquaintances who had been well-off merchants and orchard owners in Jaffa and Haifa but were now penniless was difficult for him to take. He would be stopped in the street and asked, "When will we be able to get our money back?" He didn't have an answer. Not only did the refugees lose their homes and property after the Nakba, but Israel also prevented the repatriation of money that they had deposited in local branches of foreign banks in Israel. This left many of them totally destitute.

For as long as I can remember my father had referred to the case of the blocked accounts as one of his early successes which made his name. Whenever I heard any allusion to this case my mind would immediately close. I have long wondered why I wasn't more curious to know about it. This continued even after I became a lawyer. Only after reading his files did I realize that the case represented another chapter in his struggle on behalf of the Palestinian refugees.

When I was very young my father would refer to it as the frozen money (*il-amwal il-mujammadeh*) case. I never understood how money could be frozen: vegetables, yes, and fruit, but money? And what was a blocked account anyway? He never explained and for a long time I took no interest in this mysterious case, details of which remained neglected among my father's other unopened files in the cabinet in my study.

It was much later that I came to understand that in 1948 Israel had not only expelled the Palestinians from their country but also frozen all their bank assets. Not content with depriving the Palestinians of their homes and taking over their country, Israel was also pursuing them across the border and depriving them of the means to live in the countries where they were exiled. Israeli officials were working on the principle of "no money, no country." They wanted to turn the Palestinians into beggars. And this was exactly what happened to a large number of them.

When Israel declared itself a state, it inherited all the institutions existing in Palestine. Under the British Mandate, Palestine and Transjordan had the same currency and were treated as a single currency area for the purposes of exchange control. Palestine had a Currency Board and the Palestinian pound was equivalent to the pound sterling. In February 1948 there came a British Treasury announcement, with no prior notice or explanation, that it would "exclude Palestine from the sterling area and henceforth suspend the free convertibility of Palestinian pounds into pounds sterling." It also stated that the Palestine Currency Board would no longer, "after May 14, 1948, continue to issue Palestinian pounds." In other words, upon the termination of the Mandate the Palestinian currency would no longer be legal tender. What has been aptly described by the Palestinian historian Walid Khalidi as "the shabbiest regime in British colonial history" was ending without attending to the most basic needs of the majority of the inhabitants of the land.

These measures caused a panicked run on the banks, as ordinary people rushed to withdraw their Palestinian pounds and convert them into gold or any other security they could manage. By March 1948 the Palestinian pound was rendered unconvertible into any other currency.

For the thousands of Arab Palestinian refugees who were forced to flee to other countries, this meant that they were unable either to exchange their Palestinian pounds into pounds sterling, or any other local Arab currency, before they left, or to withdraw sums from their accounts in other currencies once they arrived. Arab clients of the Jaffa branch of the Ottoman Bank, now refugees in Lebanon and Jordan, were asking the bank to pay them their balances in Amman and elsewhere, but these requests were refused.

Heart-wrenching letters written to the banks, and also to the British government and to the Bank of England, only led to the kinds of insulting, perfunctory responses that British officials were experienced in drafting from their long colonial history: they shirked all responsibility, as if their erstwhile clients were of no concern.

The fate of these assets was left to the state of Israel, which proceeded to order every commercial bank operating within its territory to “freeze the accounts of all their Arab customers and to stop all transactions on all Arab accounts.” They even refrained from calling the holders of these accounts Palestinian. To them Palestine was no more and the Palestinians had ceased to exist. The Israeli government gave the banks one month to comply with this order and threatened to revoke the licenses of all those found to be in non-compliance. By the end of December 1948 every bank operating in Israel had obeyed the order. The newly established state was exploiting all its power to inflict the maximum amount of damage on its enemies, the Palestinians.

On December 2, 1948 Israel passed directives, called “Emergency Regulations on the Property of Absentees.” This rendered legal under Israeli law the earlier freeze order. Once the order became law, the managers of Barclays Bank and the Ottoman Bank felt that they were obliged to comply. Under international banking law, banks are required to subscribe to the sovereign laws of any country in which they operate. This is unrelated to whether these laws infringe the individual rights of their customers.

In February 1949 the Israeli government issued a new order. This required both banks to formally transfer all “frozen” Palestinian sums over

to the account of a newly created entity, the Custodian of Absentee Property, who, as it turned out, was custodian in name only. In reality this official post was only a transit point, taking custody of the assets in order to pass them on to another entity to dispose of. The banks thought, erroneously, that by transferring all the funds over to the Israelis they were rid of the problem.

Within a year it became clear that the freeze was not a temporary measure, intended to last only until peace was established, as had initially been promised. For Israel now proceeded to liquidate the assets in these accounts as if they belonged to the state. Again the banks colluded in this harsh decision against the refugees, who had just lost all their properties in Palestine.

My father was appalled. He could hardly believe that the banks could get away with it and began to explore the possibility of a legal challenge, following developments closely. In November 1950 banks were issued a new order by the Israeli custodian "to deliver to him by check all the monies held in these accounts." The banks complied without complaint.

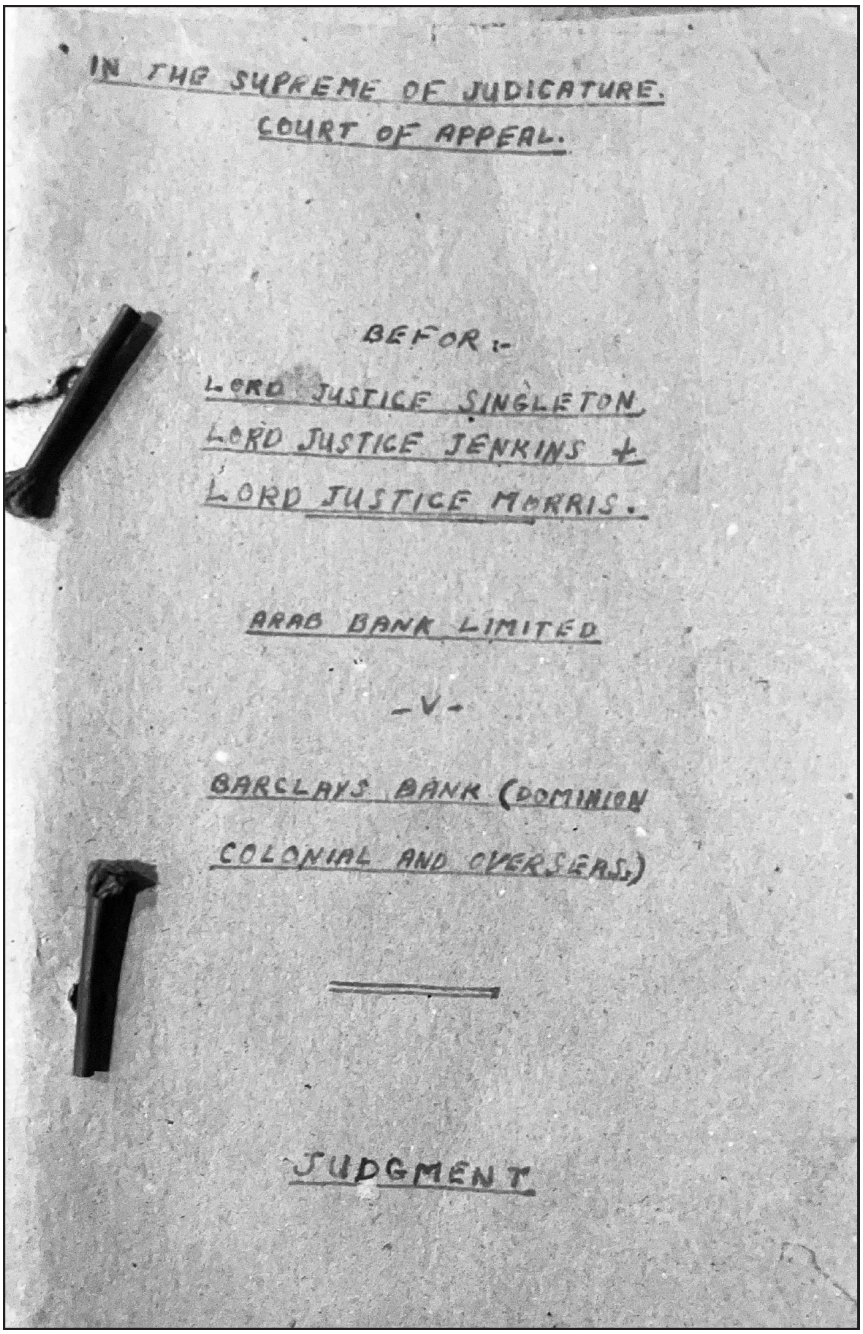
By the end of 1950 both Barclays Bank and the Ottoman Bank had paid all the Arab accounts over to the Israeli authorities, who then proceeded to spend them – as "permitted by law" – in the manner they saw fit. The Arab Palestinian bank balances vanished from the books of both banks, ceasing to be considered as "frozen accounts." It turned out that they were frozen only as far as the Palestinian account holders were concerned. From that moment on, the dispossession was complete.

Two years later the custodian withdrew a large amount from the Arab Bank's frozen account at Barclays and explained to the local manager that "the reasons for this substantial withdrawal of funds was to finance an irrigation scheme." Israel was irrigating the orchards it had taken from the Palestinians and using Palestinian funds for their upkeep, with no intention of returning them to their rightful owners. It was outrageous behavior, yet it proved that the Israelis believed so strongly that the land of Palestine belonged rightfully to them that they did not shy away from announcing

quite openly what they were doing for the benefit of their own Jewish citizens.

The Arab Bank raised a case in London against Barclays Bank, asking it to release their funds. The case was defended by Sir Hartley Shawcross, who had made a name for himself at the Nuremberg trials and had served as Britain's attorney general. Barclays won the case on the grounds that the law required banks to obey the country in which their branches operated, in this case Israel.

My father closely followed the case from Ramallah. He must have asked a colleague in London to photograph and send him the Appeal Court decision, and he proceeded to study it carefully.


IN THE SUPREME OF JUDICATURE.
COURT OF APPEAL.

BEFOR :-
LORD JUSTICE SINGLETON,
LORD JUSTICE JENKINS &
LORD JUSTICE MORRIS.

ARAB BANK LIMITED

-V-

BARCLAYS BANK (DOMINION
COLONIAL AND OVERSEAS)

JUDGMENT

The jacket of the copy of the judgment in the case raised in London by the Arab Bank against Barclays Bank, the case of the blocked accounts, that remained on the bookshelf at my father's law office for many years.

For as long as I can remember I could see, on one of the bookshelves in our Ramallah law office, a small but bulky, curious-looking booklet made of thick deckle-edged, photographed pages held together by a ribbon with a cover made from file paper of a pale gray color. Handwritten in ink, the title on the cover read:

In the Supreme of Judicature.
Court of Appeal.
Before:
Lord Justice Singleton,
Lord Justice Jenkins &
Lord Justice Morris.
Arab Bank Limited
– v –
Barclays Bank (Dominion, Colonial and Overseas)
Judgment

How often over the four decades that I worked in my father's law office did I come upon this judgment, pick it up, glance through it and put it back on the shelf? I was never curious enough to read it through. I didn't even associate it with the case of the blocked accounts. It was only after I started writing this book that I picked it up again and read it with great excitement, noting the parts that my father had underlined some sixty years ago.

On page 45 he had marked in red the top paragraph in Lord Jenkins's judgment, which reads: "Accordingly I am of the opinion that the plaintiffs' credit balance in this case was not canceled by the outbreak of war but remained in existence subject to the suspension for the duration of the war of the plaintiffs' right to recover it." And yet in the final analysis the Lords decided that "while, therefore, when the war began the further performance of the contract between the parties was abrogated, the right of the plaintiffs to demand payment of the sum outstanding to their credit at the defendants' Allenby Square branch was not abrogated but was suspended. I consider,

therefore, that the appeal fails." The Arab Bank asked for leave to appeal to the House of Lords and this was granted.

When my father read the decision of the High Court in England he noted that the Lords there dismissed the appeal on the ground that the law of Israel had to be obeyed. The Lords wrote: "We reach this conclusion with some regret, for this appeal is a hard case, but that is not the fault of the courts of this country: it is one of the results of war." My father could see that this decision was a consequence of the recognition by Britain of the newly established Israeli state. Once again it was apparent that, without a state of their own, the Palestinians had lost everything and had no voice or standing. They were being played around with, ridiculed, deprived and denied all the basic rights to their properties and assets. There was no mercy shown and no help from any quarter.

He commenced a close study of the law and began to find loopholes. He then studied the arguments and precedents used to support the defense. One of my earliest memories as a very young boy is of my father bent over the round black glass-topped coffee table in our living room, poring over the many files sprawled over it late into the night.

When he was ready, he and his brother, Fuad, began looking for a prospective client who would be willing to raise a test case against Barclays Bank before the Jordanian courts. They were willing to fight the case pro bono. They worked well together and soon found someone prepared to sue the bank. Mrs. Bahia Barakat was their first client. After being forced out of Jaffa she had gone to Cyprus and for three years had tried in vain to persuade the bank to release her funds. For this purpose she met with the bank's employees who had been evacuated to Cyprus, and also wrote to the head office in London, all to no avail. When they finally responded to her letters in July 1951 all they had to say was: "Our Jaffa branch regret to inform you that they have declined your application to transfer the balance of your account to Cyprus." Mrs. Barakat had since relocated to Jerusalem and she was willing to try taking legal recourse against the bank. And so the case was launched against Barclays Bank at the District Court in Jerusalem.

The Jordanian court had jurisdiction to hear the case because Barclays was a foreign company registered in Jerusalem, which was now part of Jordan.

To defend the case the bank employed the services of Sir Hartley Shawcross, who had successfully defended Barclays in the case raised in London. The English barrister, who could neither speak nor read Arabic, felt confident of victory. He had no idea of what a formidable opponent he had taken on. As he proceeded with the case, my father's anger at the English emerged, years and years of accumulated rage at their arrogance, deception, deviousness and assumed superiority.

I can almost hear his voice describing the Englishman as haughty and overbearing, with the assumed preeminence of the colonizers towards the lowly natives, betraying no doubt that he would breeze through this case, defend his client before this obviously inferior court just as easily as he did in London and claim another victory. He did not realize that he was going to meet his match. My father was prepared to take him on.

There my father stood, short but impressive, before the Jordanian District Court on Salaheddin Street in eastern Jerusalem, dressed in his three-piece suit and polished black leather shoes, with his well-combed, thinning hair, cloaked in his black gown, his large, dark brown eyes blazing, speaking in a soft yet firm voice, articulating every word, well prepared and confident, as imposing a presence as the English barrister. When he finished and sat down there was a hush in the court. He had delivered a convincing plea. Everyone present waited to hear how the bank's lawyer would respond. Shawcross had a long face with a wide forehead, thick black hair, prominent cheekbones and intelligent-looking eyes. He spoke slowly, commanding attention. When my father stood up to respond he scrutinized Shawcross's face and was reminded of the Mandate officials he had so often had to deal with, functionaries who succeeded in putting forward well-articulated arguments with an assumed conviction that attempted to justify a colonial rule fraught with deceit and lies. These overbearing *Ingleez*, propagators of false justice, had not left Palestine before succeeding in fostering dissent and division that was to last for a long time. Then they managed to steal away with no sense of contrition or shame for the mess

they were leaving behind. After all they had done, how could an Englishman show his face before the victims of his country's shameful policies and defend the action of banks that aided and abetted the theft of the assets of their clients? Yet perhaps this was no different from what Britain itself had done over the years. There he stood, this acclaimed English barrister, wearing his half-lens spectacles, lecturing the Jordanian court in his clipped English accent and imperious tone of voice so familiar to my father from long experience, convinced of his superiority and the certainty of prevailing.

Shawcross's first line of defense was that the court had no jurisdiction. My father succeeded in defeating this argument by proving that the bank was registered as a foreign company in Jordan and this gave the Jordanian court jurisdiction over the case.

The second line of defense was that despite the fact that Jordan didn't recognize Israel de jure, Israel existed de facto.

In response my father argued, and the court accepted his argument, that even were one to accept the application de facto of Israeli laws to those parts of Palestine that were included in the partition scheme for the division of Palestine between a Jewish and an Arab state, Jaffa was not part of that Jewish state and the application of those laws could not be recognized.

Shawcross then resorted to the defense that had been successful in London: that a bank operating in an Israeli-controlled territory had no choice but to obey its laws. Against this my father argued that Jordan did not recognize either the Israeli authorities or the legality of those laws, which were manipulated to confiscate the property of Palestinians. He showed how for three years the elderly Mrs. Barakat had tried verbally and in writing to get the bank to release her account, with no success.

Despite the fact that the Jordanian government had different policies towards Israel and different designs for the application of the partition scheme, and had annexed most of the area allocated for the Arab state to itself, thereby expanding the area of the Jordanian state, the court accepted my father's arguments. Yet it was clear that his defense went directly against the Jordanian government's policy in arguing about the 1947

Partition Plan, which divided Palestine between the Jews and the Palestinians, not the Jordanians.

The Jordanian court then ruled in favor of Mrs. Barakat. The ruling included the following important words:

> What applies generally to Israeli legislation applies more particularly to the application of those laws in those places which were not included in the Jewish zone by the United Nations in the Partition Plan of 1947, and one of those is Jaffa. Even if, for the sake of argument, we go as far as to recognize Israel's de-facto government in some parts of Palestine (those included in its zone by the Partition Plan) we consider those authorities, according to International Law, as occupying forces, and as long as they maintain this position the final decision lies with the administration to say whether they exist de-facto or not. We are mindful, as is everyone else in this country, that the successful ministries who have come to power in this country since 1948 have always stressed the demand for the manipulation of the UN Resolution and more particularly, the Partition Plan of 1947…We feel that we should emphasize that as long as Jordan does not consent to the Israeli occupation of Jaffa, and as a state of war has not ceased to exist, we cannot take judicial notice or in any other manner allow the application of the laws promulgated by those authorities for the city of Jaffa.
>
> For all these reasons we find that the laws we have to apply are the local laws which were in force at the termination of the Mandate and which are still in force…

The court ordered the bank to pay Mrs. Barakat all her money, together with 9 percent interest on the balance from the date of her first written request to the bank to withdraw the funds.

As a result of this important precedent, my father and uncle's law office was showered with cases by other account holders who wanted their money released and the bank was forced to comply with every one of them.

When the case was over, Shawcross tried to pull strings with the government to block the decision in the higher court. He had no qualms about shamelessly using all his political clout to get his way.

One Barclays Bank manager grumbled, "There can be no doubt that the ringleader of the litigation campaign against us in Jordan is Aziz Shehadeh."

I can imagine how proud my father must have felt to be recognized as the main instigator. No wonder that the case of *il-amwal il-mujammadeh* was the one of which he was most proud and which he often mentioned. Yet

by winning this case he had gone against the Hashemite regime's policy of appeasing rather than challenging Israel. For him, this was only the beginning of the litigation campaign he was thinking of waging against Israeli actions. His experience with the case showed him that there were ways to make progress towards Palestinian rights through legal challenges. Clearly this was not in line with the policies of Jordan or any other Arab state. The long-term outcome was that my father was banished from Jordan before he could fulfil these plans.

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My mother had felt both worry and hope when my father took the case. She could see that he was brightening up and returning to his former high spirits, but she worried about the consequences, expecting trouble ahead.

That same year, he and other political activists made a further attempt to influence the course of events in Jordan through ceaseless efforts to promote democratic rule there. They wanted to play a part and work on their return to Palestine, so when parliamentary elections were declared in 1954, he and other independents decided to run as candidates to try to bring about change through parliament. But the regime used all kinds of means to ensure my father's failure. Glubb Pasha, who still wielded much power, would not allow parliamentary democracy to flourish in Jordan because this would complicate his mission of controlling the policy of the country to the advantage of Britain. After the elections, my father was imprisoned, along with other candidates, including such prominent Palestinian figures as Ibrahim Bakr, Abdullah Rimawi and Khalil Abu Rayya. It now became clear that it would be necessary to oust Glubb if democracy was to have a chance of flourishing in Jordan. My father knew that the new young king, Hussein, did not like Glubb, who had been imposed on him by the British. Yet he could not get rid of him, even though the Englishman was doing so much damage and treating the country like his personal playground, arresting people and allowing prisoners to be tortured, as my father himself had experienced.

My father suspected that the government in London did not know what was being done in its name and that if they were briefed they would take action to stop it. So he was determined that on his next visit to London he would lobby against Glubb.

The opportunity came sooner than he expected.

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Seven

Jordanian rule over the West Bank lasted for nineteen years. For my father they were harsh years during which he suffered as a result not only of discrimination aimed at his person but also of favoritism directed towards the East Bank, which meant that the West Bank, including eastern Jerusalem, was left underdeveloped. I wonder how often during those lean years he must have thought of the offer that Sassoon claims to have made to allow him to return to his home in Jaffa. Did he ever think his friend and colleague Hawari, who had taken up the offer, had made the right choice or did he think, like many others, that he was treasonous for going back?

On November 9, 1972, five years into the Israeli occupation, I accompanied my father to Nazareth to visit Hawari at his home. Aware of his military background, I expected someone who looked quite different. The man we met was of a compact, stocky build with a long, jowly face, wide brow, thick black mustache and expressive, penetrating eyes. Much of what I heard my father express to his friend during that visit I hadn't heard him mention before. As I listened I thought to myself: so that's how bad it was under Jordan's rule. He had shielded me from a lot.

This is what I remember of their conversation. After the usual niceties my father rather bluntly told his friend that he was curious to know what had made him decide to take Sassoon's offer and go back. Hawari, who seemed irritated at being put on the spot, answered without a trace of defensiveness, "I considered carefully all my options, Arab country after

Arab country, but decided that none was suitable for me to work for the welfare of the refugees in them. So I thought now that this battle is over I might as well take up the offer of the Jews to return to Israel. And that's what I did."

My father proceeded to ask his friend the question that had long been on his mind: what was it like to return? Hawari fidgeted in his seat, sat up and then, having composed his thoughts, began: "I tell you, everything was a struggle, an uphill battle. Life was extremely hard in those first years in Israel. When my family and I arrived – and as you know, I have a large family – we did not have an official permit and so we were detained by the police for a whole week until we were granted a temporary permit to remain in the country. At first I was accepted by neither the local Palestinian population, who were as miserable as can be, nor the Jews, who were flushed with victory and regarded me with derision, as if they had done me a favor for which I should be forever grateful by allowing me to return to my country. Of course, they didn't recognize that it was my country. They believed it had become theirs, and only theirs. The Zionists were ruthless in their drive to advance their victory and establish their state. To do so they had to suppress the Palestinians who stayed, whose numbers I had unwittingly joined. We were all placed under military government. I'd really had no idea it was going to be like that. It was as though I had come to a new country, not at all like the one I knew and had fought for."

My father glanced around the crammed room, which doubled as a sitting room and library, and asked whether Hawari had immediately settled in Nazareth.

"No, in the beginning I lived in Akka, where I met with a lot of opposition from the communists." He gave my father a knowing look before continuing: "They were riding high. As you know, I never liked them and always thought they were opportunists, and there they were, at it again. In their newspapers they wrote that 'the Israeli authorities brought Hawari back while they pursue those who returned in Haifa, impose curfew and arrest people in Wadi Nisnas.' As if any of this was my fault and I should feel ashamed of returning home, after doing all I could to struggle

for the right of all Palestinians to return. The communists held on to my return as proof that I was a collaborator with the Jews and that I was brought specifically to sow discord in the Arab community. They're the traitors. They were in agreement with the Zionists helping implement their plans. I'll give you one example: Tawfik Toubi tried to convince the Palestinians of Haifa to move to the ghetto established by Israel. Imagine that! It was clear to me that the communists were serving the Zionists. They were not nationalists. Yet they had the gall to accuse me of not being a nationalist. After all my struggle before and after '48. Unbelievable!"

I listened to the diatribe against the communists. It was all new to me and made me wonder whether this really reflected the nature of politics among the Palestinians who had stayed behind.

My father now blurted out the question that was foremost in his mind and he had initially been reluctant to ask: "Did you then regret your decision to go back?"

Hawari breathed heavily, sighed and then admitted that there were times when he did. "But what's the use of regretting?" he quickly added. "I had to live the consequences of my decision. I had spent two years away from home, traveling with my family from one country to another, and I was exhausted. I wanted to get back home even when I was aware it would not be easy to live under Israeli rule. At least my family of ten children and I wouldn't be refugees dependent on charity. I always comforted myself by remembering that however difficult it was, here at least I was at home. And so I decided I must make the best of it because I had no way to go back."

"That's right, you couldn't have," my father interjected. "You would have been shot as a traitor."

"It's ironic, isn't it, that after all our struggle for the return of the refugees I should be called a traitor for returning home?"

My father's face showed concern and he asked whether his friend or his family were ever physically hurt.

Hawari's eyes narrowed and a look of defiance pervaded his face. " 'Hawari to the gallows,' they chanted on one of their marches. Yes, they

were willing to stoop that low. Fortunately, it was all verbal abuse and neither I nor my family were ever physically hurt."

"So when did you move to Nazareth?"

"My stay in Akka was brief. In Nazareth I did my best to establish a new party in opposition to the loudmouthed communists. Despite all my work before and after my return, the communists in their papers were portraying me as public enemy number one. I tried to explain my position and line of reasoning, but nothing I said seemed to make any difference. It was as though all my past sacrifices and work were a mirage, as if none of it had ever been. All I did was unappreciated and suspect. You see, the public forums were controlled by the communists. They were not open to me. Yet I continued to pursue my political work and published in the newspaper *Al Yawm* my own rebuttals of the positions expressed by the communists, which only made them increase their fierce attacks on me. I always stood up to them and refused to cower, even when I had no party, or any large clan to stand by me. Then in '55 I decided to write an autobiography explaining myself in my own words. I called it *The Secret of the Nakba* because I felt I was truly revealing secrets that were unknown to most people. I wanted the new generation to know how the country was lost. When I didn't find a publisher I published it at my own expense."

"It must have been easier for you to live in Nazareth than in Akka?"

"I wouldn't say that. But here I found more support among those who were fed up with the communists."

"And what about the party, did you manage to establish it?"

"I didn't succeed in that. So I searched for what I could do in the dire conditions we lived in. At least I was able through my contacts to help many individuals who, like me, did not want to be under the thumb of the communists. Then I moved away from politics and concentrated on my legal practice, taking cases to the High Court of Justice, including that of the two Christian villages of Kafr Bir'im and Iqrit. Do you know about their case?"

My father said he didn't.

“These villagers did not engage in fighting. The residents were neither expelled nor forced to flee. They surrendered to the newly formed Israeli army in November ’48. The villagers agreed to leave after receiving a promise that they would be allowed to return within fifteen days, when the army completed its operations in the area. They were put in army vehicles and driven to the village of Rama. But the army would not allow them to go back. So I took their case to the High Court of Justice and won, yet the army refused to enforce the judgment of the court. There you have it. Israeli justice.”

My father was amazed. “You mean to tell me that the army refused a court order from the highest court in the land? How could that be? This would have been unthinkable under the Mandate.”

“The Mandate was bad enough, but the English had some sense of justice. Remember that the Jews deal with us as their enemies even in the courts. I don’t think we would have done any better towards them had we won. I gave you only one example, but there are many others. I also took the case of the village of Jalameh, which I also won, but the residents of the kibbutz living on the village land destroyed all their houses to prevent the villagers from returning, with the help of the army. What do you think of that?”

At this point Hawari tried to reassure my father. “Aziz,” he blurted out, “take it from me, you have been spared much hardship by staying in Ramallah.”

“I too had my share of hardships,” my father said.

“Nothing to compare.”

“How do you know? Were you following events in Jordan?”

“Of course I did,” Hawari answered.

“Then do you know of the discrimination against the Palestinians, the favoring of the East Bank over the West Bank? Or how painful it was to see Jerusalem dwindle while Amman thrived? The city always attracted people from all over the world who wanted to invest in projects there. There were those who wanted to establish gardens and parks on the Mount of Olives and build different sorts of institutions for the inhabitants of the city, to

discourage them from leaving for lack of work opportunities. Others came with projects for inside the Old City and outside, in the large areas of empty surrounding land that overlooked one of the most spectacular views famous the world over. I would present these projects – hospitals, hotels, tourist developments – on behalf of my clients, only to hear from the Jordanian authorities that they would not approve them unless we moved them to Amman. What is Amman compared to Jerusalem? The Jordanians could not appreciate that they had control over one of the most important cities in the world. If that was not bad enough, for the first eight years of Jordanian rule we lived under the cruel rule of Glubb Pasha, whom the British had thrust on us. He didn't leave until he had trained the Bedouin army to deal with us as cruelly as possible, arresting without warrant, torturing, the whole lot. They turned out to be worse than the British army and treated Palestinians more harshly. And on top of it all, we suffered the cruel fate of seeing the Palestine we knew, at least the part that was not taken by the Jews, turned into Jordan. You say you were able to publish your political views. Under Jordanian rule we never could. As you probably heard, the regime tried to present our work in Lausanne as treason. I wrote a few articles explaining how I thought the British and others were playing with people's minds but could not get them published. We were gagged. Our newspapers were full of expressions of gratitude to his majesty the king. We had to clap for what he'd done to us and our children had to line the streets every time he came to visit Ramallah. To see and endure all we saw and experienced and still have to express gratitude. What more can I say?"

"What about your political involvement?" Hawari asked.

"In the early 1950s we believed the Jordanian regime would give us the opportunity to take part in government and influence the politics of the country. We decided to run in the parliamentary elections, only to discover that the regime had its own ideas about making peace with Israel rather than fighting it, and only wanted to get the backing of the Palestinians for the annexation of the West Bank to expand Jordan. For all these past nineteen years we felt repressed, imprisoned. So I can understand your frustration with the Israeli regime, even though I must confess that I had no knowledge

of much of what you're telling me. The little I knew about the Palestinians who remained came from my sister Mary and her husband when they would visit us for a few days at Christmas. It was too rushed for long conversations and sometimes they preferred not to speak openly. After the occupation much more became clear to me. I had been deluded, like others, about the power of the Arab states and their ability to win the war with Israel. When I put all I knew together, all my previous experiences, I arrived at the conclusion that we must call for peace with Israel and achieve self-determination through our own Palestinian state."

"But you'll not succeed," Hawari replied. "Israel will never agree to a Palestinian state. Never. What you're calling for is not feasible."

My father had heard the criticisms that were leveled against Hawari and the positions he had taken in local politics. But he decided not to ask. He didn't want to put the man he was visiting on the defensive. All he said was, "And I thought you might be an ally."

"Let me warn you about what to expect. I can do this because by now I know the ways of Israel."

And so Hawari began lecturing my father: how Israel would start by taking Palestinian land and then restrict economic development, making life difficult in every area and finally exhausting the people with high taxes.

After hearing him out, my father said, "What I hear from you only confirms my belief that we need a state of our own to stop Israel in its tracks."

Hawari shook his head, saying nothing. He then stood up, reached for a copy of his book from the shelf behind him, signed it and presented it to my father.

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I inherited my father's copy of Hawari's book, which is now rare, having long been out of print. In the style of a competent lawyer, he began by answering the different accusations leveled against him: that he was a traitor, that he helped the Jews against the Arabs, that he fueled disputes

between Arabs and Jews, that he was a spy, that paradoxically he was an ally of the mufti, Haj Amin al- Husseini. He also explained his decision to return home. His arguments were consistent with what he told my father when they met.

I might not have been aware of the instances of heroism in my father's history as I was growing up, yet often before 1967 as we drove to Jerusalem I heard him mention Jordan's discriminatory rule over that part of the city and the blocking of many of his clients' projects there. Jordan's policy was to weaken Arab Jerusalem and prevent it from becoming the political center of the West Bank, while establishing Amman as the sole political and economic hub of the expanded country. In this way they hoped to defeat the Palestinian separatist cause.

To achieve this they needed to hold back Jerusalem's development. In the process, Jordan deprived the city of any political power base, abolished its limited administrative independence and turned it into a backward provincial town. As a result the city lost many of its entrepreneurs and middle-class residents, who were attracted to Amman.

From 1951 to 1967 my father continued to suffer from Jordanian discrimination against the city. Whenever anybody came up with a project to build a commercial center, factory or hospital in Jerusalem, the Jordanian authorities would redirect them to Amman and refuse to grant a license unless they complied.

The case of the St. John Eye Hospital, built in Sheikh Jarrah in 1959 and opened in 1960, was exceptional. The regime relented and allowed the new facility to be built in Jerusalem only when the Order of St. John, which had been operating in Jerusalem for 130 years, declared that they would build the new hospital in Jerusalem or not at all. Amman meant nothing to them. That was how they finally got the necessary license.

At the start of the Jordanian rule over the West Bank only a third of the area had been registered. The absence of fully registered land delayed its development. Jordan continued with the process but at a snail's pace, so that by the time of the Israeli occupation most of the land in the West Bank remained unregistered, especially around Jerusalem. This facilitated Israel's

takeover of large areas, claiming them as public land that did not belong to anyone.

Likewise Jordan did not develop land use plans and this also retarded development. A decade after the occupation Israel began a massive project of developing land use plans which favored Jewish settlements.

Jerusalem was a case in point. Since 1948 the area of Jerusalem under Jordanian jurisdiction had not expanded and land registration there went slowly, so that only the areas lining the road were built on, while large sections beyond remained undeveloped and unregistered. The Jordanian government permitted hardly any construction on the slopes of French Hill or Mount Scopus. Jordanian discrimination against eastern Jerusalem was evident everywhere one looked.

Keeping these areas vacant facilitated their expropriation by Israel after the 1967 war and their subsequent use for the construction of Jewish neighborhoods. In contrast to Jordan, immediately following the war the Israeli municipality focused on the eastern sector of the city, wasting no time in building a “united” Jerusalem to become a world city. The energetic mayor, Teddy Kollek, seized the opportunity to make this a reality. Within the first five days of the occupation the 770-year-old Mughrabi neighborhood, which housed 650 Palestinians in 135 homes, was completely demolished, thus freeing up the whole area next to the Wailing Wall to create an open plaza. Then the authorities began the process of massive land appropriation. Among the first areas to be “developed” were French Hill and Mount Scopus. Thus father lost the valuable plot of land that he had bought there as an investment. The primary purpose behind these land appropriations was to isolate the Palestinian area of Jerusalem from the West Bank and create a ring of Jewish neighborhoods as an urban buffer between the two.

Reflecting on that meeting with Hawari, I cannot help thinking how strange it was that though the Israelis knew that he had acted as the head of one of the groups resisting the Jewish fighters, the Najjada, they seemed to have forgiven him and allowed him to return, rather than taking any form of revenge. That didn’t strike me as the kind of gesture Israel would make,

hoping for nothing in return. I have a feeling that he was expected – and perhaps he did not disappoint the authorities – to stir up divisions among the Arab community in Israel.

I wondered whether I should take what I heard from Hawari about the behavior of the communists with a pinch of salt, since it reflected the anger and confusion he felt at the impossible situation he fell into on his return to his usurped home. In my experience of politics in the Occupied Territories, the Palestinian nationalists and the communists worked together to end the occupation.

Some of what he said reminded me of the post-Oslo period when, in 1995, Israel was willing to allow back some PLO leaders known to have been involved in operations which resulted in the death of a number of Israeli Jews without holding them to account. I've always wondered what deals were made with them and how this affected the course of political developments during these crucial years.

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Eight

My father’s success in the blocked accounts case was confirmed when Israel declared on September 28, 1954 that it would release the funds involved. What remained to be done was to work out the procedures for the release. But my father could not attend to that. He was in jail.

His imprisonment came after he took part in the parliamentary elections in Jordan in 1954. His success in the court case won him a degree of popularity that was reflected in the number of votes he gained. Yet when the results were announced, he was not among the winners. Clearly there had been electoral fraud.

When he and others protested, they were arrested, beaten and placed behind bars. He had to send a colleague, Muhammad El Yahya, to Paris to continue with the negotiations with the UN Palestine Conciliation Commission regarding the procedure for the disbursement of the funds to the refugees of the soon-to-be released blocked accounts.

His colleague sent word that the banks were ready to settle and there was no need to start further procedures. El Yahya returned to Jordan, where he found that the banks had decided to pay only those who had court rulings to that effect. That was why my father and El Yahya had to travel to London as soon as my father was released from prison to meet with the general manager of Barclays Bank and agree on the procedures for releasing all the money involved. My father also had to take care of matters relating to other clients, such as procedures for the release of the safe deposit boxes.

Moreover, he needed to take a break from the tense atmosphere the aftermath of the elections had created when evidence of fraud was confirmed.

In London the two met with R. D. Smith, Barclays Bank's manager, who agreed to my father's proposals, with the condition that the applications of account holders be submitted directly to him and not go through the Refugee Congress and its committee. Since their purpose in involving the congress was only to facilitate the process for the account holders and spare them having to travel and make numerous appeals, my father and El Yahya did not object. The bank sent a letter to this effect and there the matter ended.

While they were dealing with the bank they learned that *The Times* of London had published a news item on November 4, 1954 that implicated my father in conducting direct negotiations with the Israeli enemy, which was then considered illegal and treasonous. The paper claimed: "Israel's decision to release refugee funds followed completion last month of direct negotiations in Paris between the Israeli government and delegates from the General Refugee Congress, which claims to represent 800,000 Arabs." A similar item appeared in *The New York Times.* In a registered letter sent to both newspapers, dated November 12, 1954, father and El Yahya wrote, "There is no General Arab Refugee Congress of Palestine. The General Refugee Congress of Ramallah that was formed in 1949 denies emphatically that there has ever been any direct negotiations with Israeli representatives, as appeared in your said report regarding the unfreezing of Arab accounts and safe deposits." The Jordanian foreign minister gave a statement to the paper denouncing such negotiations, saying they amounted to an act of treason. My father received word that an order for his arrest immediately upon his return had been issued to all the border points in Jordan. He and El Yahya contacted the Jordanian ambassador in London and informed him of the facts, but this had no effect. It seemed that the Jordanian authorities were not interested in the truth. The order for my father's arrest was not revoked.

My father had treated himself to a good hotel in London – he had the money. But when it became apparent that his stay out of the country would be prolonged, he began to worry that his family at home would run out of funds. So he traveled to Beirut and there, on December 13, 1954, he signed a power of attorney to his brother, Fuad, handing him control of all his funds and property in Jordan. According to the receipt I found among his papers, my father was then staying at the modest Hotel Rubeiz.

When the receptionist at the hotel demanded advance payment, my father recalled his visit to the country in 1947, when everyone welcomed him as a Palestinian with open arms. Then the Palestinian pound was strong and he lived like a king. How different it had become after the Nakba, when Palestinians were treated with condescension and viewed as paupers from whom advance payment was always demanded.

Returning to London, he found life too expensive, so he traveled to Rome, where he had a good friend, the Palestinian painter Ismail Shammout, who was studying art there. With Shammout's help he rented a room from someone called Maria Falasca and stayed with her. The next two years were bittersweet: he enjoyed Rome but worried about his future and that of his family as he moved between London, Rome and Beirut.

In Rome he read in *The Times* of London a letter written by Edith Summerskill, a Labour Member of Parliament, about the suffering endured by some Arab villages that were divided due to the arbitrary manner in which the armistice line between Israel and Jordan had been drawn. She wrote "…a British family received adequate compensation for a home destroyed during the war; similarly the Jewish people were quite justified in demanding German reparations for the losses which they sustained. Why should the Arab be expected to be indifferent to the loss of his home?"

On October 3, 1955 my father wrote a lengthy response to Summerskill from Rome, telling her: "You have touched on two of the most vital issues which are the cause of disruptive relations between Arabs and Jews in the Middle East, and as a refugee I hope you will continue to bring up this issue whenever it is opportune for you to do so." He went on to talk about the distinction to be made "between the civil claims of the refugees and the

political issue involved in the Palestine problem. The reason being that the refugees are not allowed at present by the Arab states to deal with the latter issue. But in any event they will surely welcome an overall solution of the present state of affairs." He signed his letter "Aziz Shehadeh, Secretary, General Refugee Congress, c/o Maria Falasca, Viale Eritrea 96, Int. 21 Rome." A similar distinction between political work and work on human rights informed my own work thirty years later.

Summerskill must have arranged meetings for him in London with Labour Party members. He welcomed the opportunity because he believed that the power to annul the order against him lay with the British. Despite the fact that Jordan was nominally independent, he was sure that it was still run by the British through their man in Jordan, Glubb Pasha. He was also sure that it was the British ambassador to Jordan who must have fed that incriminating story to *The Times* in order to keep him away from Jordan and from opposing the policies that the British appointee Glubb was implementing. That was why my father sought the help of British Labour Party members to get the order for his arrest annulled.

Perhaps on the advice of Summerskill, he and El Yahya drafted a memorandum, dated June 23, 1955, to members of the Labour Party. In it they covered a range of subjects relating to the refugees and then expressed their belief that the statement by the Jordanian foreign minister could not "have been made without the knowledge and approval of the British Embassy in Jordan." They added, "We need not stress the point that although the Jordan Government is considered as an Independent state such influence is felt daily by the citizens of Jordan." They then gave an example of the recent parliamentary elections and accused Glubb "of the forgeries and the harsh measures that were adopted during these elections…We have firsthand information about what has taken place."

As I read this I marveled at my father's audacity and courage, to complain to the British government about Glubb when the man exercised great powers over him and his family. Truly, he was fearless.

And yet his efforts at lobbying the British to remove their man in Jordan seemed overly optimistic. With all he knew of the British and their

unprincipled behavior during the Mandate, when they tortured prisoners, demolished homes and hanged the rebels during the 1936 uprising and afterwards, how could he expect justice from them? Why would they want to change their policies in the region and remove their agent in Jordan just because of the accusations of wrongdoing that my father presented?

Not surprisingly, this appeal to the British Parliament proved ineffective in lifting the order for his arrest. He then wrote to Herbert Morrison, a Labour MP and former cabinet minister, and met with him to plead his case, but still to no avail. After these meetings, my father remained in London, staying at the Park Lane Hotel until June 9, then moving to the Strand Palace Hotel. When his money began to run out again he returned to Rome and from there he traveled to Beirut for more meetings with Arab officials regarding the order for his arrest.

He was still in Beirut when, in March 1955, he was summoned by his friend Yusuf Nawas, a travel agent in Rome, to return to the city for a meeting with King Hussein, who was visiting. At the meeting the king hinted that he was soon going to dismiss Glubb, which in fact he did on March 1, 1956. My father left the meeting hopeful that the order to arrest him would soon be canceled. He returned to Beirut to be reunited with the family. We traveled from Ramallah to meet him there and together we waited for the good news, which never came.

As he remained in exile, not knowing what to do while his money was running out and his future looked bleak, my father seriously and for the first time considered emigrating to the USA. My mother, who was a US citizen, would be able to start proceedings for her husband and the rest of the family. Once we returned to Ramallah, it was agreed that we should have our eyes examined by Dr. Mansour, who was certified by the US consulate, and our passport-size photos taken by Ghandi Harb, one of two photographers in Ramallah, in accordance with US immigration requirements.

Thinking back on that time, I realize that I can recall traveling to Beirut and boarding that small Middle East Airline plane while its propellers were already turning, yet I have no memory of meeting my father or of the state

of anticipation about seeing him after an absence of more than a year. Was it perhaps because I felt so physically vulnerable, an extremely sensitive child who needed a warmer reception than my father was able to offer me? Perhaps a long embrace that I never remember getting? It is often the case that fathers rarely succeed in giving their male children more emotional regard than they got from their own parents. And from all indications, Boulos was not one to pay much attention to his children or offer much in the way of physical intimacy.

My stay in Beirut was unhappy and I fell ill. After a few weeks, my health seriously deteriorated. Both the tension and being away from home disagreed with me and I was sent home with my grandmother to Ramallah, where she nursed me back to health. The whole episode of our traveling to Beirut and the uncertainty about my father's fate stayed with me as an unsettling, miserable experience. My father was too distracted and busy to spend time with me and my siblings. I remember we stayed next to the lighthouse at a boarding house called Aoun's which had a long terrace overlooking the street, but have no clear picture in my mind of my father or of our reunion after such a long absence.

Could my refusal to listen to anything to do with the blocked accounts case and my inability for so long to read about it have come about because I associated it with all the trouble my father endured as a result? In my subconscious the case must have become associated with the stressful, difficult time that followed. There was that unhappy, tense trip to Beirut, staying in cheap hotels and not having enough money to spend, seeing my father troubled, working hard, going from one official to the next to plead for help in getting Jordan to lift the arrest order, having to live with the uncertainty after the euphoria of his success in the case, not knowing whether he would be pardoned and allowed home. The effect of the experience that had so dangerously compromised my physical health must have been profound and long-lasting.

There was also another memory associated with the case that must have contributed to my negative feelings regarding that period. It had to do with the totally baseless suspicion that arose concerning my father's decision to

stay in Rome with Maria Falasca which made my mother fear that he might be having an affair. The source of this was my grandmother Julia. As a child I would overhear her persistent warnings that my mother would be losing her husband if his return was not secured soon. This made me anxious as I could see how my mother was doing all she could to secure a pardon for her husband. She spent most of the eighteen months of his exile greatly distressed, with Julia's words always in the back of her mind: "You're going to lose your husband to this Maria. Just mark my words." For a long time the same words rang in my head and aroused the fear that I would be losing my father.

In Beirut my mother met with her uncles the Nassar brothers, Anis and Farid, who had been forced out of Haifa in 1948. There they had been well off as the owners of the large and prestigious Nassar Grand Hotel, which they had lost along with all their property in 1948. They fled to Beirut, where they had to struggle to make ends meet. Florence Waked was married to Anis, a handsome man of few words who had a dry sense of humor that unexpectedly broke his long periods of silence. She herself was an elegant, well-spoken lady of great charm. A Palestinian from a well-known family, she had grown up in Egypt and never lost her lilting Egyptian accent. She was also an accomplished painter.

One of Florence's close friends was Zalfa, the wife of Camille Chamoun, Lebanon's president. Florence promised my father to try through Zalfa to get Chamoun to intercede with King Hussein to secure his pardon. Zalfa spoke to her husband about the matter and he promised to help. Yet weeks passed and there was no news. My father got into the habit of stopping by at Florence's each morning and they would drink coffee together. She would then turn over the small coffee cup he drank from so that the grounds of the thick Turkish coffee she brewed formed into patterns from which she could tell his fortune. She would assure him in her charming Egyptian Arabic that she could see in his cup a white bird in flight bearing good news. Every day the bird would get larger. This could only mean that soon, very soon, my father would hear good news about his case. Meanwhile my father made the rounds and met with all the Arab

ambassadors, writing detailed letters to them of what he had done and how unfairly he was being treated. But none was willing to help. A long time passed before Florence's bird came home to roost.

While still abroad he wrote an article in which he reflected on his predicament. He felt great disillusionment at how the Arab leaders were still colonized and obedient to their British masters. He pictured them as no better than dogs that obediently barked at whomever they're told to attack. They had all barked at him in unison, mindlessly repeating the unfounded claims against him rather than congratulating him for winning the first and only case against Israel's theft of the Palestinian refugees' assets:

> The Arab barking dogs feed on the skeletons and skulls of the refugees. Each is given a bone he holds firmly in his jaws, having learned that if he doesn't do his master's bidding he would not be given another, and without it he cannot survive. Before his people every dog boastfully shows off his enjoyment of the lavish life afforded him by the bone. You see him living ostentatiously, vainly boasting of his success at pleasing his master, gratified with what has been awarded to him. And that's no wonder, for isn't having a bone a dog's greatest aspiration?

The main target in his article was British policy and officials whom he believed were bent on doing all they could to destroy the possibility of peace between Arabs and Jews taking root in our region. It was the old colonial policy of divide and rule. This was his conclusion. He believed that it all began with the Balfour Declaration of 1917 and that since then the British had been encouraging hatred and enmity between the two sides. He wrote that ever since

> the Jews were granted the Balfour Declaration the colonizer has been active in fostering the spirit of enmity and hatred between Jews and Arabs and in creating obstacles in the way of any resolution whether by war or peace. Woe unto whoever is inspired to work on any of the complicated issues. If he should dare to exhibit any initiative he is considered a dangerous suspect and his name is added to the list of enemies. The colonizer then presses the button which signals his barking dogs to attack the man and destroy him.

He sent his text to the leftist progressive Egyptian magazine *Rose al Yusuf*, but they declined to publish it. It remained unread in one of the files he left me.

When he was finally pardoned and able to return home after eighteen months in exile he felt utterly exhausted. He had left home relishing the sweet taste of success, only to return totally dismayed about the future. What made it worse was that he was obliged to write a letter to King Hussein expressing his “gratitude” for the monarch’s magnanimity in allowing him to return home. What had he done wrong to deserve this? Was the success of a Palestinian always to be punished by such humiliation, persecution and exile?

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As I was growing up, the received wisdom was that my father was exiled because he complained to the British about Glubb Pasha. From reading his papers I have come to a different conclusion.

If I’d been aware, if only by name, of the case of the blocked accounts, I’d had no notion whatsoever that my father had planned to build on that success and embark on more cases to wage a legal campaign against Israel. This was what he and El Yahya mentioned in the memo to members of the Labour Party that they had prepared. One of their plans was “to induce the government of Israel to release the income of the Arab refugees’ properties now under the control of the Custodian on an annual agreed basis.” As the following section of the memo makes clear:

> the future plans of the Executive [Committee of the General Refugee Congress] do not dwell only on finding solutions for the refugee problem. They intend in the meantime to work in the refugee camps with a view to creating cooperative societies, organizing labor and opening new fields of work and development for the refugees. Such activities require great efforts and action by zealous persons who should be prepared to specialize in this field of work. They can benefit from the experiences of experts in Israel, Greece and Pakistan who have tackled similar problems. In order to attain fruitful results the government concerned, in particular the Jordan Government, must be directed to help and support such activities, and if the British government exercises pressure on the local authorities to encourage and help our organization in its policy, we believe they will greatly help in bringing peace and prosperity not only to the refugees but also to the countries in which they are now found.

They denounced the policy adopted by the Jordanian authorities of weakening the Palestinian Arab and especially the refugee, then went on:

> The original citizens of Jordan, on the other hand, are being favored not only so but the cities and villages of the Eastern bank of the River Jordan have gained as a result of this policy of favoritism. Jerusalem is almost a dead city while Amman has greatly increased in its population and construction. Similarly Hebron, Jenin, Tulkarem, Kalkilia and other towns and villages have become almost dead. It is apparent therefore that not only do the refugees have their grievances but almost all the population on the western bank of the Jordan feel the same. Whilst we believe this matter is outside our scope of work, we are bound to hint it over [sic] to you in order that you may have a general view of the whole situation in Jordan which may help you in your debates on the British policy in the future.

The plans that my father and El Yahya outlined in the memo must have alarmed the Hashemite king, since they went against the Jordanian policy of appeasing Israel and keeping control of UNRWA in the hands of the government and not the refugees. But it was my father's future plans that mattered, not his complaint to members of the British Labour Party, who were obviously not going to move. The laconic noncommittal response he got to his memo on February 24, 1955 confirms this: "I am desired by Mr. Herbert Morrison to acknowledge and thank you for your letter of the February 20. Mr. Morrison has noted the information you kindly give him. He hopes your difficulties will be solved."

What confirms my suspicion is that my father had written to the Jordanian Bar Association, protesting that nothing he was accused of constituted a chargeable offense or violation of the law. He further argued that if the Jordanian authorities wanted to convict him they would not have announced this in advance; they would have waited for his return to Jordan, then arrested him. This acute observation leads me to believe that what the Jordanian authorities really wanted was for him to stay away from the country. They did not want him there questioning their policy of appeasement towards Israel through his work with the Refugee Congress and his legal challenges. They could never have followed through with their threat of arresting him because he had committed no chargeable crime or violation of the law.

It is to be regretted that the blocked accounts case was not celebrated by the authorities in Jordan; nor did it herald a new form of resistance against Israel in which the law was mobilized in the struggle. In addition, after 1967 it failed to serve as an example of what could be done to restrain Israeli excesses using the law. Except for those whose money was returned, the general public and later, after 1967, the Palestinian leadership took no notice of that case as a possible way of fighting illegal Israeli actions.

The failure to consider the law as one form of struggle has contemporary significance. When negotiations took place in Oslo between Israel and the PLO the legal aspects were neglected. My father would have been appalled at the total absence of legal grounding for the talks.

How similar this was to what I tried to do in the early 1980s, using the law to resist the Israeli occupation. And yet my father never commented on the similarity between our two struggles or let me know how his efforts had ended. Did he perhaps assume I knew? But how could I? We were not in sync. I had been lagging behind by some thirty years.

It was only after a decade of occupation that the possibility of launching legal resistance to the occupation finally took root and began to be accepted and practiced. I was part of that struggle.

My father didn’t show any interest in my human rights work. I was attending UN meetings on “the question of Palestine” held in far-flung corners of the world. In 1983, in the course of one of these conferences in Jakarta, I met his star trainee in Jaffa, Muhammad El Farra, who had become assistant secretary general of the League of Arab States. When I got back and talked to my father he was unenthusiastic about the conference and didn’t want to hear about it. And I could not understand why. Now, years later, I realize what a farce those gatherings were. We would present papers about what was taking place in the Occupied Territories and then argue endlessly about a concluding statement, as if everything rested upon it. But none of it really mattered, neither the papers nor the resolutions. They were read by no one and ended up gathering dust on the shelves of the UN. My father knew this but spared me the revelation.

These days, as I too sometimes find myself feeling lukewarm about the prospects for legal struggles against the occupation, I think of my father. In the wake of the 1967 war, he became convinced that fighting wars with Israel was not going to bring about any positive results. He was ready for peace and proposed his bold scheme of a Palestinian state next to Israel. This was where he directed his energies. He was no longer dealing with the consequences but with the core issue. Whereas I, in my human rights work, was doing precisely the opposite, dealing with the consequences of the occupation while not working on the politics of terminating it. In 1984, when the military authorities published their comprehensive and illegal plan altering the entire road network of the West Bank, I was deeply convinced of the effectiveness of human rights work to resist Israel's colonial pursuits. Though he was willing to have his name on the legal brief in which we argued that the question of the legality of the plan should be put before the International Court of Justice at The Hague, it was clear that he didn't share my enthusiasm. He tried to tell me that what was needed was political work to pressure Israel to negotiate. But I was fixed on the direction I had chosen and was not going to listen. I just thought he was discrediting my work in human rights, to which I was committed and which I felt was the most important work to be undertaken. All I could see was what Israel was doing wrong. In any case, I didn't think I had any means of influencing the PLO and its politics and so tried to do what I could with civil resistance.

My father only shook his head.

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Nine

On his return from Italy my father was determined to avoid further involvement with politics. For the moment, he had had enough and was anxious to resume his family life and professional work. But this was not to be. He came back from exile only to end up in Al Jafr, Jordan's notorious desert prison.

That period in my father's life and his despair at the Lausanne Conference remind me of how I felt after I read the Oslo Accords in 1993 and thought that there was not much more to do. I left public affairs and concentrated on my professional work and building a house. This did not spare me from having to suffer the consequences of the failed peace, evident in a threefold increase in Jewish settlements and in the outbreak of the second intifada in 2000, which I could not avoid as Israel reinvaded the West Bank.

For my father the late 1950s were a turbulent time in the region generally. In Jordan left-leaning nationalists had won a majority in the parliamentary elections of 1956 and the new government they formed slowly began to turn away from Britain and the West and look towards the USSR and China. King Hussein reacted by replacing the prime minister and, on April 13, 1957, used his royalist troops to quell an attempted military coup at Zarqa. He imposed martial law and banned all political parties.

On July 14, 1958 Abdul Karim Qassim led a coup in Iraq that toppled King Faisal II, a cousin of the Jordanian monarch. One week later King Hussein, fearful that the nationalists and antimonarchists in Jordan might carry out a similar coup against his regime, declared a state of emergency and ordered the arrest of large numbers of known nationalist leaders, among them my father.

At the time of his latest arrest, my father was not psychologically prepared for the hardship that was to ensue. Unlike on previous occasions, he had not been expecting the arrival of the brutal, mostly Bedouin soldiers, who carried out their orders unthinkingly and in blind obedience to their masters, with no consideration for the rest of the family whose home they invaded to take him away.

It was still dark when they came. Using iron fetters, they shackled his right foot to his left hand and his left foot to his right hand, forcing him into a painful position. They then dumped him into the back of a truck like a sack of potatoes and drove away. Throughout the trip, they manhandled him as if he were a dangerous criminal. First they took him to the Muqataa in Ramallah, the Tegart fort built by the British as police headquarters during the 1936 rebellion, where he expected that he would be incarcerated with the other prisoners in the truck. He was let out and searched, then had his head shaved. While he was there he learned that his brother, Fuad, had also been arrested and brought to the same place. This distressed and worried him and he wondered if his more physically delicate brother would be able to endure incarceration under these harsh conditions. He was greatly relieved to hear later that Fuad had been released.

As he waited he considered the differences between the Muqataa under the British and the Jordanians. He had previously seen this government building only from the outside as he’d never had a reason to enter. It looked just like all the numerous cement structures that the British had erected around the country. He wondered whether the Israelis, like the Jordanians, were using these structures in the other parts of Palestine that were now Israel. How ironic, he mused, to have been delivered from the harsh rule of

the British to the no-more-lenient rule of the British-trained Jordanian army with its loyal Bedouin-dominated core.

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Day had broken when he and fifteen others were sent back to the trucks and driven away. He was not sure, but he suspected that he would be taken to Al Jafr, where a number of his friends had gone earlier. This was a desert prison 256 kilometers south of Amman. It was built by none other than Glubb Pasha, who had decided on the location when he commanded the Desert Patrol, prior to taking up his post as commander of the Arab Legion.

It was a bumpy ride through the West Bank and bumpier still when they crossed the wooden Allenby Bridge over the River Jordan. As they drove through the dusty city of Amman my father might very well have wondered whether the regime would ever succeed in turning this miserable place into anything like the charming city of Jerusalem.

It was a long ride and his back hurt from all the jolting. The pain in his ankles and wrists where the chains were secured was excruciating, with his skin broken and the metal scraping against the open wounds. But he could not reach down to massage his sores for his hands were also tied.

He knew that Al Jafr was a desert prison but was not sure how far into the desert it was. He hoped that they would reach their destination soon after they left Amman, but they drove to Ma’an and then proceeded eastward for another fifty kilometers straight into the desert, traveling on dirt roads marked only by stones on either side. It was beginning to seem as though they would never get to their destination and he feared that without road markers they might easily get lost.

It was July and the land was parched. There was hardly a speck of green anywhere except for tufts of thistly shrubs here and there. In contrast with the Ramallah hills, where even in the heat of summer there is some greenery, whether in the form of olive trees, yellow broom or the remnants of the more hardy rock roses growing by the side of the stone terraces. To cheer himself up, he let his mind wander back to what he remembered of a

far more pleasant ride through an even more spectacular landscape when he and Ismail Shammout took the long trip from Rome to Verona. How green and lush it was. Northern Italy was the place where he would have liked to live. And yet here he was, being driven into the desert to be detained for an indefinite period depending on the whim of his jailers. He had not been served any sort of arrest warrant. They just took him away like a chattel or, more accurately, like a wild animal who must be restrained in a cage to prevent him from hurting others. This is what it had come to.

As these thoughts were passing through his mind, he saw that they were crossing over the remnants of railway tracks. At first he wondered what these could be. Then he realized that they must be part of the Hijaz railway, the much-heralded line that once linked Damascus to Medina, with branch lines to Jerusalem, Amman, Bisan and Haifa, and another line that was never completed to Nablus. What had started as the promise of greater connectedness between the various parts of the Middle East ended in partition and the loss of Palestine. The shattering of that dream had begun with the dynamiting of these tracks by a famous Englishman, T. E. Lawrence, during the First World War, at best for military reasons. Nonetheless, in the wake of that terrible war, Britain and France carved up the region into small states, giving the ambitious Abdullah a statelet that he proceeded to enlarge at the expense of Palestine, with British backing. With Palestine lost, my father and others were now reduced by the regime to the status of common criminals, feet shackled, banished from society, away from their wives and children, herded into the desert with no explanation or justification other than a British-made law on administrative detention. Thus my father’s world was ruptured, his happiness thrown to the wind. And yet he knew that in order to survive this latest ordeal he must keep up his morale and not succumb to despair.

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Some twenty kilometers east of the town of Tafilah, after having been driven up and down hillocks and small bluffs, my father was aware that the

ground was evening out. The bumpy ride finally became more tolerable and his companions dozed off, but he couldn't. Now my father began to feel pangs of hunger. He hadn't eaten since his arrest and it was already the afternoon. But worse than his hunger was the thirst. His mouth and throat were completely parched and when he licked his lips he could taste the dust that had collected on his face. He wondered whether there would be enough water available at the desert prison to quench his thirst – he wanted gallons and gallons of it. He looked ahead at the desert and thought he could see a pool of water. If only the truck would stop for them to assuage their thirst. But when they got closer the water vanished and he realized it was just a trick of the desert, a mirage.

My father had never been in a real desert before so this was a new experience for him. He also had no idea what the prison would be like: tents, probably, or huts made of corrugated metal. But how could tents or even flimsy metal sheets withstand the strong winds that must blow unobstructed across this vast space? He expected there would be dust storms and that thought alone made his thirst seem more acute and unbearable. As much as possible, he scanned the terrain on either side of the track as they drove along, but he could see no sign of a structure that might be the prison. So where were they going to put them? Out in the open perhaps. The emptiness on all sides stretched as far as the eye could see. Except for the steady thrum of the truck there was no sound. He had never experienced this kind of isolation before, except perhaps while sailing a boat off the Jaffa coast. Yet how different this was from Jaffa and its beautiful blue sea with the gentle waves breaking against the shore.

When he next looked out of the side of the truck he could no longer see any sign of the stones that had been marking the track. Had the driver lost his way, he anxiously thought, or did it not matter any more, since there was no longer any track to follow? The driver had to trust his innate Bedouin sense of direction. Perhaps he was navigating by the sun…How strange these tribesmen were, he thought; how resilient they must be to live as they did in the harsh conditions of the desert, finding their way and making a living from the scarce resources available. He had always known they were

a different breed of proud people whom he respected, yet he'd never thought they would become agents of his and his people's suppression. Again Lawrence came to mind, and the role he had played in subjugating the Arabs and creating puppet leaders to keep them enthralled. It always came down to the *Ingleez*, he thought, didn't it?

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It was around eight in the evening when they arrived at Al Jafr. The sixteen captives were made to stand in a long line at the prison gate, guarded by an infantry unit. Then they had to squat cross-legged, a position my father could never easily assume, though he did his best to do as ordered. As he looked at the inmates who had come to meet the new arrivals he recognized Talaat Harb, the brother of Ghandi, the Ramallah photographer. He was a long-standing courageous opponent of the regime and a prominent member of the Communist Party who had been in and out of prison for years. My father called to him. Talaat looked up but did not seem to recognize him. His head was shaved and his face was concealed behind a veil of sand, as if he had been in a flour mill. My father was the last person whom Talaat expected to see in Al Jafr. As he told him later, he didn't think a lawyer of my father's stature would be dragged to this place, nor did he believe that Aziz had the constitution to withstand the harsh conditions of such a prison. So my father called again: "It's Aziz, Aziz Shehadeh, Abu Raja. Don't you recognize me?" At this point Talaat rushed to the prison warden, Abu Muti', informing him that one of the new arrivals was his cousin and demanding that they show him respect and remove the shackles from his hands and feet. The warden said, "This man is a traitor." Talaat fiercely denied this. "Who, then, is this small, slight man?" Talaat responded, "This is not a small man. He is one of the most famous lawyers in the country." Abu Muti' immediately asked one of the soldiers to remove his shackles and my father went to join the other inmates, who welcomed him with coffee and tried to make him comfortable.

After they had been searched, the newcomers were taken to different quarters according to the political group to which they belonged. My father ended up staying with the communists because there was no particular location for independents. He asked for a pen and paper and wrote a letter to my mother, assuring her that he had arrived safely and was being well taken care of, telling her not to worry about him.

The communists' section was at the eastern side of the prison and consisted of four large barracks of the kind used by the British army in its temporary camps, two smaller huts, a bathing area and a toilet facility. The barracks were built of zinc sheets, the roof was covered with tar-soaked felt and the base was made of cement rising half a meter from the ground. The prison extended some 200 meters from east to west and was divided into two sections separated by a wall as high as the one surrounding the entire prison compound. At each corner of the wall there was a watchtower.

During the two months he spent in the desert prison there was ample time to ponder the course his life had taken. He was living in great discomfort, suffering the intense July and August heat during the day and extreme cold at night. Despite the harsh conditions, however, he appreciated the camaraderie he experienced with his fellow prisoners. He was also impressed by the organizational skills of the communists, who, with the Jordanian Free Officers, constituted the highest proportion of the prison population. They ranked themselves into leaders, cadres and inner circle. He marveled at their strict adherence to the hierarchy they had established for themselves.

All political opinions were represented in the prison population that my father found himself joining. He was among the few independents who did not belong to any party or political faction. So he listened to and befriended men from all sides and groups and learned a lot. The open terrain stretching before them was conducive to reflection. There was no sense of claustrophobia or even confinement. He believed that the thought of escape did not enter anyone's mind. To leave the confines of the prison compound would surely mean dying of hunger and thirst in the desert or, worse still, being devoured by wild animals. That was why he was surprised when he

learned that a group of prisoners planned to dig a tunnel under the wall to escape. It was only completed after he had been freed. Later he heard that the guards had discovered it at the last moment and foiled the escape. He thought that was in the prisoners' best interests considering the dangers of getting lost and perishing in the desert.

He was impressed by how some of the detainees were saving seeds from the tomatoes they were fed and planting them. The plants were doing well, with plenty of sun and ample water pumped from the nearby artesian well. He'd never expected it would be possible to grow vegetables in the desert.

When he was not helping others with the different chores necessary to keep themselves fed, their bodies clean and their clothes washed, he found himself spending time reflecting over his life as he gazed at the strange landscape surrounding him. At night, when the moon rose, he would contemplate and wonder whether his present environment was similar to a lunar landscape, just as stark, arid and vast. Without the filter of the atmosphere would the moonscape have colors like this desert? As the sun rose in the morning it illuminated the sand, tinging it with gold. But then, as the light grew brighter, strands of charcoal emerged amid the bleached yellow sands – rock formations scattered here and there, as if they had been dispersed by the wind and landed at odd angles before another strong gust came and they tumbled away to a new location. Then there was the occasional stubborn shrub breaking the sandy waste.

These musings would transport him elsewhere, easing the hardships of life in this desert prison. Often he would think of his family, especially his wife, and wonder how she was managing. At least this time he had left her with enough money, unlike when he was in exile. But before he left she had become pregnant and he now wondered whether he would be released before she gave birth. What sort of life was this, when he couldn't be confident of being at his wife's side when she gave birth to their latest child?

His mind went back to the various difficult times he had endured. In every case he was able to lift himself up and carry on, beginning with when

he was forced out of Jaffa and had to suffer the hardship of losing his legal practice and most of his clients. Ultimately he had been able to find work, whether it was the successful defense of those accused of the murder of King Abdullah or handling the blocked accounts case. Yet each time his reward was that the Jordanian authorities saw him as a danger to the regime, not as a bright and successful lawyer who was an asset to society. They continued to place crippling obstacles in his way, issuing orders for his arrest, propagating slanderous accusations against him and forcing him into exile, and now he had ended up in this desert prison for no valid reason. Where was his life going? Every time he did what he deemed was necessary work for his people he ended up paying a heavy price. And as a result his family suffered and his wife had to work very hard to raise their children on her own, without being sure he would ever return. How many terms of exile and imprisonment must he endure?

He surveyed the desert around him and imagined himself lost in this vast expanse, exposed to harsh dust storms, at the mercy of the elements with no protection. How much longer could he endure the enmity of the regime that had taken over every aspect of the life of his community? Yes, he knew – he knew only too well – what it all meant. It was a betrayal of the Palestinians, a cowardly disavowal of what had been nominally promised by Jordan and the rest of the Arab world: the liberation of Palestine. That was why he had done his very best to challenge this policy, yet all too often he found himself unsupported. Many of his friends had opted to get on with their lives and concentrate on their own and their families' individual welfare. Some became ministers and high officials in Jordan. And where was he? Still in his uncle's small house, living in cramped quarters. He had left a pregnant wife and soon he would have his fourth child. How would they manage in that tight space? But he had still not saved enough to afford to build a decent house. Perhaps his uncle Salim had been right all along and he should never have opposed the Hashemite regime. Perhaps it was time for him to leave public work and politics and concentrate on his family and its welfare.

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I don’t remember my father’s return home from Al Jafr. I have a memory of seeing a photograph of him with a dark growth of beard covering his face, a shaved head and large, fiery, dark brown eyes. Was this taken at the desert prison and smuggled out or was it a false memory, a trick of the imagination? Yet he must have had a long beard, although I don’t recall him with one. My sister told me he was whisked away, probably by my mother, as soon as he arrived home and rushed off to the barber’s for a shave so that we would not see him bearded. But I have no memory of that either. How is it that I remember none of this? How is it that his unjust imprisonment under such harsh conditions didn’t make father a hero in my eyes? Why have I never looked up to him or appreciated what he endured?

I accept now the unsettling realization that my attitude towards my father was never one of admiration. I made no effort to ask him about his prison experience or to understand the political battles he fought. I took my mother’s side and thought, like her, that he was too rash and foolish to get engaged in activities that ultimately led him into trouble. In other words, I blamed the victim, whether for his banishment from the country, his stay in Al Jafr or his failure in his political endeavors, which always seemed to go stubbornly against the trend and result in him becoming more and more unpopular and mistrusted. Without proper awareness of the reasons behind his actions, none of their consequences gave me cause to admire my father for his heroism in resisting the regime and tolerating harsh prison conditions in the merciless desert. I had scant understanding of why he was putting himself in danger. Even later, when I wrote about him in my memoirs, it was frequently from my mother’s point of view. She supplied the standard against which I gauged his worth. I knew very little of the history he made, nothing of his struggle for the repatriation of the Palestinian refugees or against the perfidious regime in Jordan. What I heard much more about was my mother’s efforts on his behalf as she shuttled between various Jordanian officials pleading for his release. It was she who won my sympathy for the hardships I believed my father had

inflicted on her. I had a vague notion that Jordan had conspired with Israel to usurp Palestine, but knew nothing of the details, or of my father's valiant attempts at combating all this, for which he paid such a heavy price. I was caught up in the family drama, which colored my understanding of the situation. I did not have my own thoughts on any of this, but was influenced by my mother and her mistrust of politics, as well as her critical, disapproving attitude towards my father's activism. This created a huge gulf between us. I had my own immature ideas, based on sentimental Hollywood dramas, of how it should be between father and son, and made no effort to understand my father on his own terms. Now that I know how much we have in common, what I regret most of all is the fact that we could have been friends.

Naturally, like most women with daring husbands who subject themselves to danger, my mother did not want her son to follow suit. So she tried to raise me in such a way that I would stay away from danger and concentrate on adventures of the mind. She enriched my imagination with her enthralling storytelling, unknowingly guiding me towards the writer I have become. She neither acknowledged nor spoke of my father's heroic deeds, or tried to inspire me to follow in his footsteps. But, in the end, I didn't listen to her either. For many years I dedicated myself to public service and got involved in human rights activism, much to my mother's dismay.

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With the earlier removal of Glubb and the suppression of the Jordanian Free Officers' revolt, there followed a few years of tranquility, during which my father concentrated on his professional work and was not involved in politics. His fourth child, my younger brother, Samer, was born a few months after his release from prison. My father now had more time at home to enjoy the latest addition to his growing family.

But the respite was short-lived. On June 7, 1967, Ramallah came under Israeli occupation.

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Ten

The beginning of the occupation marked a fundamental change in my father. No longer was he apathetic about politics. He found renewed energy and once again applied himself to political work. It was as though his most enduring and challenging case was the Palestinian cause and he was determined to help resolve it.

A few weeks after the start of the occupation, he submitted his proposal for the establishment of a Palestinian state next to Israel along the 1947 partition borders, with its capital in the Arab section of Jerusalem, as well as holding negotiations over all other outstanding issues. For this plan he was able to get the support of fifty prominent Palestinian leaders from different parts of the Occupied Territories, the West Bank, eastern Jerusalem and the Gaza Strip. He handed it to two Israeli emissaries to present to the Israeli government and awaited a response.

Until 1967 my father had been making a distinction between civil and political matters, trying to deal with the civil and leaving the political to governments, because he didn't believe he could get politically involved. After the occupation, when the Arab governments had completely failed, not to say betrayed, the Palestinians, he felt that there was no longer any time for wavering or concealing their true wishes: the Palestinians had to take the initiative. It was incumbent upon him to speak out and act.

He was always a pioneer, ahead of his peers, tireless in his work and fearless in his convictions. His experiences prior to the war had firmly

convinced him how difficult, and possibly even futile, it was to try to win rights without the backing of a state. That was why he saw that the central struggle should be for self-determination, because only as a state would Palestinians acquire the standing needed to struggle effectively for regaining their legitimate rights. Whether at the UN or in Lausanne, at the negotiations for the return of and compensation for the refugees, he and his colleagues were at a great disadvantage because they were stateless. They were constantly told, “We only negotiate with states.” And those states claiming to support them did not have their best interests at heart. Even in the case of the blocked accounts, had it not been for the loophole he was able to use of Jordan’s non-recognition of Israel, he could not have won the case.

In 1947 the UN partition plan recognized the rights of the Palestinians to a state, just like Israel’s. Why not invoke this now, declare a state according to that partition plan, negotiate peace with Israel and resolve all outstanding issues? After all, self-determination is a fundamental right of every nation, so why deny it to the Palestinians? When he visited Jaffa after 1967 he saw that it was unchanged, looking more or less just as when they had left it in 1948. It was not too late for a Palestinian state, according to the partition plan, and he believed that if it happened, we would acquire the necessary standing. By accepting the partition plan he was reiterating what the Refugee Congress had decided upon its formation in 1949: that is, to accept the 1947 partition as a solution to the Palestine problem.

While looking over father’s papers, I came upon a brief, undated statement presumably written shortly after the commencement of the Israeli occupation. It was headed “Speech is Prohibited” and in it he wrote the following:

> In the course of the Mandate we were prohibited from speaking out. But that was no surprise because the terms of the Mandate were to prepare the political, administrative and economic conditions for the establishment of a home for the Jews. Then came Jordanian rule with promises of change and for allowing freedom of speech. But once we opened our mouths arrests began, military rule ensued and political parties were banned. Again we said it is no surprise for this is the nature of every occupation. Then came the Israeli military occupation that prohibited political parties and rallies and we said once more, this is the

> nature of every occupation. On top of all of this, now we have orders issued from abroad denying those under occupation the right to speak and give their opinions. By God, how can there be honorable living when the right to think and speak is denied?

Clearly he had had enough of being forcibly silenced and was going to assert his freedom and his right to speak without fear of the consequences. And he wasted no time.

The curious thing was that he signed the statement *Samed* (the one who perseveres). This was twelve years before I began adding that very same signature to letters I later compiled in a book that I called *The Third Way.* I was totally unaware that my father had used the very same pen-name. Yet when the book was published and he read it, he never mentioned the piece he had written, or remarked on the coincidence that I had chosen the same name that he had used years earlier.

But why? Was it because to be a *samed* had become too passive for him and no longer a viable strategy for overcoming the conditions we were suffering? Or was it because he did not want to deprive me of the pleasure of finding my own voice? Maybe by then he had already moved on to the political activism he believed was necessary in order to confront our situation, so he was putting all his energies into trying to establish a Palestinian state.

After the two Israeli intermediaries submitted the proposal to the Israeli government, he began lobbying for it. In addition to contacting more Palestinian leaders and opinion makers, he was in touch with Jewish colleagues in Israel whom he had known during the Mandate, trying to recruit them to the cause of reaching peace through the establishment of a Palestinian state alongside Israel. He also met with a good number of Zionist Jews from the USA whom he believed had some influence over the Israeli government. He was certain that ending the conflict through the establishment of two states was in the best interests of both peoples. His brother, Fuad, who always had a better sense of where power lay, thought my father was treading a dangerous path. From Amman, he was keeping Aziz abreast of what officials and others were saying about his political project, in an attempt to make him slow down or, better still, abandon this

risky political venture that Fuad did not believe had any chance of succeeding.

After the occupation, as a sixteen-year-old, I wanted to give vent to my feelings and along with others resorted to unthinking, raw hatred. I remember being on a bus with tourists that passed through Bireh, Ramallah's sister city, and seeing a group of women sitting out on the porch sunning themselves. When they saw the bus of tourists whom they assumed were Israelis, they spat in hatred, looking at our faces in the windows. Part of me thought how crude such expressions of indiscriminate hostility to anything foreign were. But to a young man there was something appealing in that gesture, rather than always having to make distinctions and cool-headed judgments, being prudent and not giving vent to base emotions. To call for all or nothing was an attractive prospect, and it was what most were calling for, except my father, and I was supposed to be on his side. I couldn't abandon him and go the way of others. Insults and accusations were being hurled at him from all sides for proposing his plan for a Palestinian state next to Israel. I had to be calm, unemotional, resilient and supportive. The pity was that the Palestinians themselves, some acting on behalf of Jordan and others on behalf of the PLO, resisted his efforts. The PLO was establishing its hegemony as a representative of the Palestine people and in its view this was the first step that should precede any other. Their project was for a secular democratic state over the whole of Palestine, not a Palestinian state alongside Israel.

A year after my father had made his proposal, I remember sitting on the open air balcony next to my bedroom, listening to the radio, when I heard *Assifa* (the storm), one of the PLO's radio stations, maligning and threatening my father, whom they called by his initials, A.S., for proposing the establishment of a Palestinian state. I didn't know how to take it. The broadcast made me fear for my father's safety. I was skeptical about what he was doing, yet I did not think of talking about it with him. Even though I was no longer a child, I still did not think I could speak to him about this important and dangerous development. I avoided the subject, pretending I knew nothing about it.

Now that I have read my father's papers, I can see that he answered all his opponents and those who criticized his proposal and tried to distort it. On June 7, 1968, just after the *Assifa* broadcast, he wrote to two friends in the USA who had asked what he was up to. "All that I've done," he told them, "has been carried out in the open. The proposal I made, I published in the newspapers. And yet over and over again, enemies have tried to misrepresent and distort my idea, claiming that I'm calling for a government under Israel's supervision. On every occasion I responded, showing that their claims are baseless, and yet they continue to sing the same tune." He ended the letter, "I have put forward my opinion and the future is sure to show whether this was the right or wrong way to proceed." But he never showed me the letter, never read it to me, never discussed it or made any reference to it. And I never asked. Surely the future has vindicated him now that a Palestinian state next to Israel is the official – yet, alas, now unattainable – goal of the PLO.

In that same letter he touched on another of his major concerns, berating those who sang the praises of Ramallah while remaining abroad, and wondered whether Ramallah's fate would be like that of Jaffa, left without any of its own people, if more of its residents continued to emigrate.

It has also become clear to me after reading his papers that the proposal he put forward after 1967 arose from the initiative that had been stymied by the Jordanian government in the early 1950s. He knew that Jordan and other political forces would soon act on their opposition to his proposal and try to silence him and his supporters as they had done in 1955. This was why he believed that time was of the essence. He and his colleagues had to get something going before the detractors recovered from the seriously stunning blow they had received as a result of their shameful defeat in the 1967 war.

I was at an age when I felt the need to belong and be accepted by my peers. The more unpopular my father's politics were, the more distance it put between me and those with whom I was growing up. When we discussed our situation under occupation and I repeated what I heard at home, it seemed as though I was speaking a different language.

Couldn’t my father see that the Palestinian people were engaged in an armed struggle? How could he have failed to recognize the power and determination of the multitudes who went forward with all they had, giving up on everything else and joining the PLO to fight for freedom and an end to years and years of submission? How could he deny this and pretend that it had no repercussions?

I can hear my father’s response to these questions, which he articulated in a 1970 piece in *Al Quds* entitled “History Repeats Itself”:

> The military condition of the Arab organizations and armies does not guarantee outcomes that can be realized through political solutions, especially after the deep conflicts that have arisen between some Arab countries as well as between the Palestinian organizations and some of these countries. If we also assume that the most that can be won militarily would not exceed the borders of June 4, 1967, because the superpowers including the Soviets will not allow the destruction of the state of Israel, it becomes clear that the military option, in my view, has become untenable, and calling for it will only cause complications leading to loss of hope. It also provides non-Arab states with an excuse for not proposing any political solution as long as the Arabs have chosen the military option for the resolution of their case above all others. So, then, tell me: what is the use of this military struggle?

And I would answer: for the glory and nobility of trying. Surely, says a very young man, “It is sweet and fitting to die for one’s country.”

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My father was not opposed to the PLO. What worried him most, though, was that the organization was being funded by Arab governments and he suspected that their influence on its leadership would destroy it. He wanted to help guide the PLO’s policies but failed to do so. The organization took his call for a separate state as a threat to what it stood for, which was essentially to replace Israel with a secular democratic state. Palestinians involved in armed resistance regarded my father as an enemy rather than an asset, even after he made efforts to meet with some of their leaders to try to persuade them to support his proposal. Eventually, in June 1968, his name was struck off the register of Jordanian lawyers.

I learned about this from a friend at the summer work camp in Ramallah. “Did you see the paper?” he whispered to me. I told him I hadn’t. “It says that your father will no longer be able to practice.”

By this time I was seventeen years old and though it saddened and disturbed me to hear this, I kept the information to myself. I did not speak to my father about it or ask him what he was going to do in response. It was only fifty years later that I found out from his papers how he reacted. He wrote to his colleague and former partner in Jaffa, Elias Nasser, who was now in Amman, asking that he and others submit an appeal on his behalf against the Bar’s decision (of which he had not been notified) to Jordan’s High Court of Justice. He directed them to base the appeal on the regulations of the Lawyers’ Union, pointing out the specific articles to be invoked and arguments to be made. My father never showed me this letter or mentioned it to me. As always, he kept me at a distance. Perhaps he thought I was not interested or that in this way he would be protecting me. He remained to the end of his life on the blacklist of those banned from practicing law in Jordan.

Not only was that country using its power to silence one of its citizens living under Israeli military rule, it was also denouncing his project and asking others who were close to the regime to issue denunciations of him and his politics. The prime minister, Wasfi Tal, held a press conference in Amman on November 7, 1970 in which he declared that the establishment of a Palestinian state was considered “a mad project.” Suleiman Nabulsi, a Palestinian and former prime minister of Jordan, wrote an article for the newspaper of Fatah, the largest faction of the PLO, accusing the Israeli authorities, supported by international imperialism represented by the USA, of attempting to promote the idea of the establishment of a Palestinian state in the Occupied Territories. “This is but a preliminary plan to ingest the West Bank and the Gaza Strip,” he concluded. At around the same time, while in Cairo, Yasser Arafat, the PLO chairman, declared that the establishment of a Palestinian state in the West Bank was “a joke”; later, in Algeria, he declared, “This project aims at liquidating Palestinian organizations.”

In March 1970 Jordan sponsored a conference of about thirty people to denounce the call for a Palestinian state. There Emil Ghuri, who had been the secretary general of the Arab Higher Committee and its nominee in May 1947 as a member of its delegation to the UN in the special session on Palestine, referred to the proposal for "the so-called Palestinian state," saying that behind it stood Israel, the Zionists and the imperialists. "This travesty," he went on, "will only lead to the loss of the legitimate rights of the people of Palestine and the loss of Jerusalem." He called on the Arab states to oppose it.

The proceedings of the conference were reported by a columnist who wrote for *Al Quds* newspaper in Jerusalem under the pen-name *Dabbous* (pin). He echoed what my father had written about the absence of free speech in Jordan:

> After Mr. Ghuri finished talking he asked the attendees to present their suggestions so they could be formulated into a resolution. The conferees had not been able to take part in an open discussion on the subject of the conference, yet Mr. Ghuri asked Haj Mahmoud to read the resolutions. He proceeded to do so and they were approved unanimously by all those attending. It should be mentioned that they had been prepared beforehand.

Then he added an ironic comment: "I'm glad to have lived to see democracy in operation."

This conference, together with the numerous articles published in the local press that specifically named my father, amounted to a repeat of what Jordan had done to silence and exile him in 1955 after he succeeded in forcing Israel to release the blocked accounts. Again, the obedient officials and lackeys, whom my father had earlier called "Barking Dogs" in an article he wrote, were summoned to play their part. And they obliged, doing everything in their power to make his life more unbearable. Yet my father stood his ground. With few political allies and no powerful clan to support him, he appeared an easy target for all those seeking favor, whether from Jordan, Israel or the PLO. After he was prohibited from practicing as a lawyer, Jordan withdrew his passport. This meant that when I graduated from the American University of Beirut in 1973, he was not able to attend

the ceremony (it was impossible to enter Lebanon on an Israeli travel document). I knew he would have liked to be there, so I decided to skip the ceremony rather than have him feel excluded from my first graduation from university. I made it up to him later, when I was called to the Bar at London’s Lincoln’s Inn: then I made sure he was present at the ceremony.

At Lincoln’s Inn after I was called to the Bar. My father is standing next to me smiling, with Lord Denning, Master of the Rolls behind. My mother is standing on the other side next to her childhood friend from Jaffa, Salma Dajani. The others in the picture are members of the Dajani family living in London who were like family. Their daughter Abeer, far left, is also a barrister.

Despite the attacks that were being directed at him from all sides, my father refused to be silenced. Over the next few years he tirelessly continued to do all he could to rally support for the proposal to establish a Palestinian state next to Israel. He kept on repeating that the Palestinians were the only people who could negotiate a real peace with Israel. But the Israeli government of the time, as with all future governments in the past half-century, never showed any inclination to make peace with the Palestinians. And yet still my father was determined to keep trying. He strongly believed this was the best chance for Palestine and Israel to achieve peace. In his view, time was of the essence when it came to pursuing the two-state solution according to the UN partition plan of 1947. He was adamant that both nations would have to recognize each other's existence, establish two states and ultimately forge a new age of cooperation between them that would bring great benefits to both. He had no doubt that this would be the best course of action, one that would transform the region and turn it into a prosperous area of the world.

He was unstoppable, with one article presenting his views followed by another. To its credit, *Al Quds* published opinion pieces for and against the proposed state. Its then editor, Marwan Abu Zalaf, proved to be a courageous man and, at that time, was a strong believer in the establishment of a Palestinian state. He wrote a number of editorials in support of the scheme. From reading these I was amazed at how it was possible so soon after the start of the occupation to write and freely publish seemingly uncensored articles. This was certainly not possible under Jordanian rule and perhaps is still not possible under the Palestinian Authority. Israel was exhibiting its best side to the occupied people, trying to convince them that it would uphold the freedom of the press.

As long as my father believed that, if a genuine offer was made and pressure was exerted, Israel could be persuaded to make peace with the Palestinians because it was the best way to end the conflict, he continued to think of how to bring about such a possibility. He wrote, lectured indefatigably and met with delegations of Americans, Europeans and Israelis, one after the other, exhibiting a lot of courage and integrity. But he

soon came to see the game Israel was playing. In a long, three-part article I've already mentioned, the first instalment of which was published in *Al Quds* on November 26, 1970 under the headline "History Repeats Itself," he revealed both how Israel was deliberately pursuing a strategy of procrastination and how it suited Israel, Jordan and the PLO to reject any peace proposal based on Palestinian self-determination. He argued that by distorting a proposal advocated by Palestinians, such as the one he was presenting, the PLO was inadvertently supporting Israel, whose policy was to insist that no viable peace proposal was being offered by its adversaries.

The article began by referring to the tactics Israel used in 1948 when it was creating a new country where the Palestinian Arabs had lived. Then it had "succeeded in signing the armistice agreements, undermining the peace negotiations it was conducting with the Conciliation Commission, and foiling all the efforts made by the representatives of the refugees to reach an honorable peaceful solution with it." My father went on to review the tactics Israel used after 1967 to deflect attempts by the UN peace envoy, Gunnar Jarring, and other initiatives. He suggested that Israel was using the same tactics to avoid peace that it had employed in 1948, giving itself "the opportunity to complete construction projects, create facts on the ground in the occupied areas, and thereafter confront the world with a fait accompli." In doing so its objective was to give itself time "to ingest the occupied territories in total or in part." When this had been accomplished it would use the excuse that "it was the Arabs who refused to negotiate and who ventured to violate the ceasefire agreement, and that the clock cannot be turned back." Yet despite all this, the Palestinian leadership seemed unaware of the pressure of time.

He ended his article by quoting Ibrahim Yaziji's famous invocation, "Arise and awaken, ye Arabs," adapting it to "Arise and waken, ye Palestinians." But, alas, as history has proved, his call fell on deaf ears.

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Fifty years after this article was published, the facts on the ground include three quarters of a million Israelis living in 500 settlements that have been established in the West Bank since the beginning of the occupation. They also include the division of the territory into three zones, with a separate network of roads and infrastructure for water and electricity serving the Jewish settlements and connecting them to Israel. None of these facts has brought peace any closer. They have resulted in a majority on both sides coming to the conclusion that the two-state solution is no longer feasible. What will replace it is either one state or apartheid.

When the archives of those early years of the occupation were opened, we discovered the accuracy of my father's analysis. Israel was pursuing what the historian Avi Raz calls a "policy of deception." Even though my father had no access to the archives that contained the minutes of the Israeli cabinet meetings documenting how Israel was responding to various peace initiatives, he was right about how Israel deflected them and procrastinated, claiming all the time that it was its neighbors who were refusing to make peace.

My father also made another important point: that it was preferable for the Palestinians themselves to negotiate with Israel, rather than have the Arab states negotiate on their behalf, because Israel would then try to offset its claims for Jewish properties in the Arab states against those of Palestinian properties in Israel. Again this has now become Israel's position in responding to claims for compensation for Palestinian properties, as evidenced by the recently proposed, US President Trump–inspired Abraham Accords.

More than two decades ago, when I was writing *Strangers in the House*, I met Dan Bavley, a retired chartered accountant, who was one of the two emissaries my father had asked to deliver his plan to the Israeli government. I told him that I thought my father was a visionary and an idealist, that he was not a typical politician or strategist, and that he pushed on with his proposal even though he knew it stood no chance. Dan told me I was mistaken. "Your father was strategic," he said. Then he explained: "In 1967 the Palestinians, in the view of Israel, did not count for anything. They were

not a factor that Israel took into account. In ’48, as you know, no effort was made for peace with the Palestinians. If peace was being considered it was with Jordan and the other Arab states, not with the Palestinians, who were simply not recognized as a party. This is what Aziz fought against. He kept insisting that it was the Palestinians who were the key to any real peace and that only if they were recognized and satisfied would peace prevail. This was revolutionary and a true breakthrough.”

At our meeting Dan also confirmed that my father’s brilliant strategy was to emphasize over and over again that unless Israel, with a population of 2.7 million, negotiated with the Palestinians it would not be able to control the 1.2 million of them who had come under its control. It was like living next to a ticking time bomb. “This was his strong bargaining point,” Dan said. “Then he would point out that if Israel made peace with the Palestinians, the Arab states would follow suit and the Middle East region would be transformed. The peace dividend would be great for all sides.”

Now, over half a century later, with Israel in full control of the Palestinian population living in Israel itself and in the Occupied Territories, I want to tell my father that history may have proved him wrong, that perhaps his was but an empty threat and Israel must have known it. The occupier has seemingly won. The word “occupation” has been dropped from Israel’s vocabulary. The curriculum taught in their schools tells their students that the whole of Greater Israel is theirs and that the Palestinians have no rights over that land. I want to say to him, “You underestimated Israel’s power, resourcefulness and long-term planning.”

The conversation is continuing and my father answers me: “Do you really believe it was inevitable that history should have taken that course and that it couldn’t have been otherwise? Of course not. It was all a consequence of the two sides refusing to recognize each other’s existence. It could have been otherwise. When I raised the prospect of violence ensuing if Israel did not pursue the course of peace, I knew it was an empty threat, I had no illusions about the capabilities of our people in the Occupied Territories who had been under the harsh regime of Jordan for nineteen years and had nothing with which to fight Israel. Yet to Israel the possibility

that it might fail to control the over a million Palestinians who came under its rule was a real cause for worry. The threat was made at a time when to them this was a real fear, and so I tried to convince them that peace is the better course to follow, and to urge them to accept our proposal for a Palestinian state.

“You say they’ve won and you cite the fact that they deny the Palestinians have any rights over the land, and have dropped you out of their consciousness. This only means that they’ve succeeded in deceiving you as well. You think that because they’ve made you invisible they’ve won? It pains me to hear you put it like that. This is a recipe for perpetual war. Don’t you realize that the only victory is the achievement of peace between our two peoples? How it saddens me to see that the only relations between you are those of master and slave, one of exploitation, hatred, seizing every opportunity to destroy each other. And yet you call their denial of Palestinians their victory.

“Just think how much time Israel has wasted learning the tricks of interrogation, repression and other coercive ways to control the Palestinian population under their rule. Of course they had the best masters to teach them, the *Ingleez*, who left them their brutal methods of torture, house demolitions and deportation, all enshrined in laws such as the Defense Emergency Regulations, which Israel found ready and used extensively over the years. True, they’ve managed to control the Palestinians, and in the process incarcerated many thousands who ended up despising Israel more than ever and determined to keep fighting it, but then the two nations are now further apart than ever. Has any of this brought peace any closer?”

And I reply, “Of course not. Yet still the fact is that they won. To them it’s a war to destroy the Palestinians, deny their existence and rights to the land. And they did it. They won. And that’s all that matters to them. As to the cost, it was much, much higher for us than for them. Nothing to compare. They lost thousands of soldiers; we lost many more and still remain stateless.”

Then he tells me, “The cost they bore goes far beyond the number of dead in the course of the numerous wars they waged. Loss of life was only

part of it. How much better things would have turned out had they used their superior skills and resources to help develop the region rather than continually destroying it."

"That's their choice," I say. "A choice they could make because they won."

And he says, "The only real victory is when we've both won."

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I now fully appreciate that throughout his life my father sought the admirable objective of peace with our enemies and in that he never wavered.

In his last years he often repeated the warning that if we didn't come to terms with Israel then, it would only get more difficult as new Israeli generations came up who had a different outlook and were brought up to hate the Arabs.

But he wasn't listened to. He continued to encounter extremely difficult challenges, yet he managed to survive them and live his life to the fullest. My own contributions and difficulties are nothing in comparison.

As to our own relationship, I finally see how often he made attempts to bring me closer to him, how often in the course of our life together he tried to get me to listen. But I couldn't, or wouldn't, because I was angry that the unpopularity of his politics was making it difficult for me to belong. Or so I thought for a long time.

Now I realize, to my eternal regret, that the main reason why the love between us remained unacknowledged was me. I was the one who was unwilling.

I can almost hear my father asking, "Are you listening now?"

To which I answer, "Yes, now I am."

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To Be Continued

In December 2021, I appointed the Israeli human rights lawyer Michael Sfard, to represent me in obtaining access to the Israeli police investigation file in my father's murder. I thought that a long time has passed and the Israeli police might be willing to divulge what they knew.

Months went by, with various reasons given for the delay, and then the police asked the lawyer whether I wanted a personal review of the file or for the file to be made public. I opted for the latter.

On August 26, 2022, Sfard received a negative response to his demand to get a copy of my father's investigation file for me to review. The reasons the police gave were that such a review would cause "a serious and disproportionate harm to the privacy of suspects" and that it might "uncover methods and means of investigation." This of course is nonsensical.

In a subsequent meeting on August 31, the police repeated the argument that the file cannot be exposed due to the privacy of the suspects and the secrecy of the information (including the identity of collaborators) stored in it. Sfard explained that even if we accept that these are legitimate interests (though after thirty-seven years we believe they are of very low weight), they could be protected by allowing us to review a redacted version of the file. It's not all or nothing.

At the time this edition of the book went to press, we had still not received police consent to my review of the investigation file.

The prevarication by the police and the excuses offered for the delay bring back painful memories of the agony my family endured in the course of the original investigation, which I wrote about in *Strangers in the House* in 2002. But I resolved to continue.

Nearly forty years after the murder, I am still waiting to hear confirmation as to who murdered my father and why the Israeli police closed the file before the investigation was completed.

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